

Mark Silberman
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March 23, 2005

Secretary
Federal Communications Commission
Washington, DC 20554

RE: Petition to remove LPTV application BNPTTL-
20000831BYG from Auction 81, Group MX169

Ladies and Gentlemen:

As explained in the attached "Engineering Statement" the subject application was amended during the August 2001 settlement window to clear the conflicts with the other applications in this group.

I believe it is not necessary for my application to be in the auction as there is neither an incoming or outgoing conflict.

Please reclassify my application as a "singleton".

Respectfully submitted

s/s Mark Silberman
Applicant

B. W. St. Clair

**ENGINEERING STATEMENT IN SUPPORT OF THE
PETITION OF MARK SILBERMAN TO BE REMOVED
FROM AUCTION 81, GROUP MX169**

Introduction

Application BNPTTL-20000831BYG has been included in MX169 in spite of the unilateral engineering changes filed in a settlement window to clear the conflicts with the other applications in this group.

Outgoing Interference:

The offset was changed in the August 2001 settlement window to eliminate the interference to the other applications. This change of offset is reflected when viewed in the CDBS.

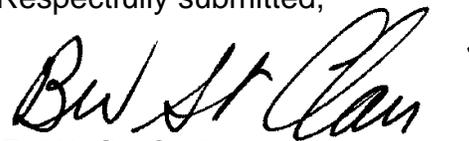
Incoming Interference:

The application contains a statement added in the August 2001 settlement window to the effect that the applicant will accept interference from the other applicants in this group. This statement appears when this application is viewed on CDBS. A copy of the page with this statement as it appears in CDBS is attached. See paragraph #4, Conclusion.

Discussion

The applicant by unilateral changes and additions to the application during a settlement window has cleared both outgoing and incoming conflicts. Thus it should not be in an auction with the other applicants in MX169.

Respectfully submitted,



B. W. St. Clair
Engineering Consultant
March 23, 2005

Exhibit 6

Description: ENGINEERING EXHIBIT - INTERFERENCE ANALYSIS

ENGINEERING EXHIBIT - INTERFERENCE ANALYSIS

IN RE: APPLICATION FOR LOW POWER TELEVISION BROADCAST STATION LICENSE, AUGUST, 2000 WINDOW

AUCTION NUMBER 81, ENGINEERING SOLUTION TO SEPARATE THIS APPLICATION FROM MUTUALLY EXCLUSIVE GROUP

1. INTRODUCTION

GROUP: M569

APPLICANT:

M569 NM 52 CHI CHI TAH MARK SILBERMAN BNPTTL20000831BYG

CONFLICTING APPLICATIONS HAVING ONE OR MORE OVERLAPPING PROTECTED/INTERFERING CONTOURS PER PUBLIC NOTICE DA-0129:

M569 NM 52 GALLUP TRINITY BROADCASTING/ NE BNPTT20000830AVQ

2. DISCUSSION

BECAUSE THERE WAS NO FREQUENCY OFFSET BETWEEN THEM, THE APPLICATIONS LISTED ABOVE AS FILED WERE UNRESOLVABLE WITHOUT MAKING A CHANGE IN ONE OF THEM IN ORDER TO CAUSE IT TO BECOME OFFSET WITH RESPECT TO THE OTHER. AFTER RESEARCH, IT WAS DISCOVERED THAT THE OFFSET OF BNPTTL20000831BYG COULD BE CHANGED TO ZERO, THUS ALLOWING REDUCED INTERFERENCE BETWEEN THE TWO APPLICATIONS AS SHOWN BY THE LONGLEY-RICE STUDIES BELOW. THUS, THIS APPLICATION MODIFICATION PROPOSES A CHANGE TO ZERO OFFSET FOR BNPTTL20000831BYG. ALTHOUGH THERE ARE ONE OR MORE OVERLAPPING PROTECTED V. INTERFERING CONTOURS BETWEEN THIS APPLICATION AND OTHER APPLICATIONS AS SHOWN BELOW, ALL WERE SUBJECTED TO AN ANALYSIS OF POTENTIAL INTERFERENCE WHICH INCLUDES A LONGLEY-RICE STUDY IN ACCORDANCE WITH OET BULLETIN 69 OF THE ACTUAL PREDICTED INTERFERENCE, INCOMING AND OUTGOING, BETWEEN THIS APPLICATION AND THE IDENTIFIED CONFLICTING APPLICATIONS WITHIN THE SAME AUCTION GROUP. THE FINDINGS ARE SHOWN BELOW.

3. ANALYSIS

INTERFERENCE CAUSED BY THE APPLICANT'S PROPOSED (REVISED TO Z OFFSET) FACILITY TO M569 NM 52 GALLUP TRINITY BROADCASTING/ NE BNPTT20000830AVQ
...0.128%

INTERFERENCE CAUSED BY THE FOLLOWING APPLICATIONS TO THE APPLICANT'S PROPOSED FACILITY IS SHOWN FOLLOWING:

M569 NM 52 GALLUP TRINITY BROADCASTING/ NE BNPTT20000830AVQ
...NONE.

IF APPLICABLE, THE LONGLEY-RICE STUDY PRINTOUT IS SHOWN IN ITEM #5 BELOW.

4. CONCLUSION

NO INTERFERENCE OR INTERFERENCE TO ZERO PERSONS PER OET BULLETIN 69 IS CAUSED TO THE APPLICANT'S PROPOSAL OR THE OTHER PROPOSALS SHOWN ABOVE WHEN THE LONGLEY-RICE STUDY IS USED AS PART OF THE APPLICATION. IN THE EVENT INTERFERENCE WERE TO BE SHOWN INCOMING TO THE APPLICANT, IT IS BELIEVED TO BE INSIGNIFICANT AND IS ACCEPTABLE TO THE APPLICANT. THUS, THIS APPLICATION IS NO LONGER MUTUALLY EXCLUSIVE WITH ANY OTHER IN ITS AUCTION GROUP. ACCORDINGLY, IT IS REQUESTED THAT IT BE REMOVED FROM THE GROUP AND ALLOWED TO PROCEED FORTHWITH TO THE PERMITTING PROCESS. FINALLY, THIS APPLICATION MODIFICATION AND A MODIFICATION OF APPLICATION BNPTTL20000831BYG FOR CHANNEL 52 IN SHEEP SPRINGS, NM ARE BEING FILED SIMULTANEOUSLY BY THE SAME APPLICANT WITH THE UNDERSTANDING THAT TRINITY BROADCASTING, BNPTT20000830AVQ, GALLUP, NM IS ALSO RELEASED FROM MUTUALLY EXCLUSIVE GROUP M569.