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MAY 15 2003

**Federal Communications Commission
Office of Secretary**

May 15, 2003

DAVID A. O'CONNOR
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VIA HAND DELIVERY

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: RM-10172, Petition for Rule Making filed by Eagle
Communications, Inc. Requesting Substitution of DTV Channel
5 for DTV Channel 40 for use by KECI-DT, Missoula, Montana

Dear Ms. Dortch:

On March 3, 2001, Eagle Communications, Inc., permittee of digital television station KECI-DT, Missoula, Montana ("Eagle") filed a Petition for Rule Making in which it requested that the Commission substitute DTV Channel 5 for DTV Channel 40 in the Missoula market. Based on conversations between Eagle's counsel and Commission staff, it appears that Canadian government objections would preclude the proposed change. Accordingly, Eagle hereby requests that its Petition for Rule Making be withdrawn.

In the near future, Eagle intends to file an application for Special Temporary Authority to operate its digital facilities at reduced power on Channel 40.

An extra copy of this letter is enclosed. Please date-stamp the extra copy and return it to the courier. An FCC Form 162 is also enclosed.

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Federal Communications Commission

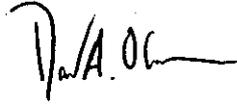
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In the event there are any questions about this matter, please communicate with the undersigned.

Respectfully submitted,

HOLLAND & KNIGHT LLP

A handwritten signature in black ink, appearing to read "D.A. O'Connor", with a horizontal line extending to the right.

David A. O'Connor

Counsel for Eagle Communications, Inc.

cc: Nazifa Naim, FCC, MB
Pam Blumenthal, FCC MB
John Morgan, FCC MB
James McLuckie, FCC IB

