

**Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Amendment of Sections 73.62) MB Docket No. 03-151
and 73.1350 of the Commission's)
Rules)

To the Commission:

REPLY COMMENTS

These reply comments are submitted on behalf of Cohen, Dippell and Everist, P.C. ("CDE") and are in response to certain issues raised in the various comments filed in the Notice of Proposed Rule Making ("NPRM") In the Matter of Amendment of Sections 73.62 and 73.1350 of the Commission's Rules.

The National Association of Broadcasters ("NAB") filed comments in support of the proposed rule making. CDE supports NAB's comments.

Further, Mullaney Engineering, Inc. ("MEI") urged the Commission to provide further guidance in two specific areas. CDE supports that request for additional guidance. Those areas are:

- when does the 3-minute or 24-hour/3-hour time frame apply
- short-term out of tolerance occurrence

CDE agrees that these two items warrant further consideration.

Furthermore, CDE submits that prior to 1990 the rules in this area were basically understood by industry and further submits that some of the current uncertainty results from the merging of various portions of the rules in the mid-1990s¹.

Therefore, for the reasons discussed above, CDE fully supports the comments filed by NAB and MEI.

Respectfully Submitted By,



Donald G. Everist
President

DATE: September 22, 2003

¹See the proceeding—MM Docket No. 93-177