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ANN BAVENDER*
HARRY F COLE
ANNE GOODWIN CRUMP
VINCENT J CURTIS, JR
PAUL J FELDMAN
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MITCHELL LAZARUS
SUSAN A MARSHALL
HARRY C MARTIN
LEE G PETRO*
RAYMOND J QUIANZON
JAMES P RILEY
ALISON J SHAPIRO
KATHLEEN VICTORY
JENNIFER DINE WAGNER*
LILIANA E WARD
HOWARD M WEISS
NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH, P L C .

ATTORNEYS AT LAW
11th FLOOR, 1300 NORTH 17th STREET
ARLINGTON, VIRGINIA 22209-3801

OFFICE (703) 812-0400
FAX (703) 812-0486
www.fhhlaw.com

RETIRED MEMBERS
RICHARD HILDRETH
GEORGE PETRUTSAS
CONSULTANT FOR INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS
SHELDON J KRYS
U S AMBASSADOR (ret.)
OF COUNSEL
EDWARD A CAINE*
DONALD J EVANS
FRANCISCO R MONTERO
EDWARD S O'NEILL*
ROBERT M GURSS*
WRITER S DIRECT
(703) 812-0470
jazzo@fhhlaw.com

April 19, 2004 RECEIVED
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Via Courier

Marlene H. Dortch, Esq.
Federal Communications Commission
445 12th Street, S W.
Washington, D.C 20554
Attention: Policy Division
Media Bureau

Re: RM-10836

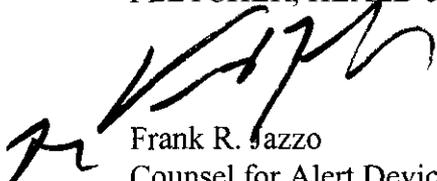
Dear Ms Dortch:

On March 31, 2004, Alert Devices International Corporation ("ADI Corp."), the petitioner in the above-captioned proceeding, filed a "Motion to Suspend or, in the Alternative, to Dismiss Without Prejudice" in the above-captioned proceeding, in order to permit ADI Corp. to perform tests of Emergency Vehicle Signaling Service ("EVSS") technology. ADI Corp. hereby states for the record that it will submit the results of such tests to the Commission no later than November 1, 2004.

Should any additional information be required, please contact this office.

Very truly yours,

FLETCHER, HEALD & HILDRETH PLC



Frank R. Jazzo
Counsel for Alert Devices International Corporation

FRJ/mbj
cc Mary Beth Murphy, Esq.*
Steven Broeckaert, Esq.*
Karen Kosar, Esq.*

* by e-mail

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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APR 19 2004

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.622(b))
Table of Allotments,)
Digital Television Broadcast Stations)
(Jackson, Mississippi))

MM Docket No. 01-43
RM-10041

To. Office of the Secretary
Attn: Chief, Video Division
Media Bureau

MOTION FOR LEAVE TO FILE
AMENDMENT TO PETITION FOR RECONSIDERATION OF CIVCO, INC.

CivCo, Inc. ("Civic"),¹ licensee of WLBT(TV), Jackson, Mississippi, by its attorneys, pursuant to Section 1.429(d) of the Commission's Rules, hereby files this Motion for Leave to submit the accompanying Amendment to the Petition for Reconsideration of Civic dated April 19, 2004 (the "Amendment") in the above-captioned proceeding.

Grant of this Motion would serve the public interest. The Amendment revises Civic's DTV channel change proposal to comport with the Notice of Proposed Rule Making in this proceeding.² The Amendment will facilitate the DTV transition generally and DTV service in Jackson, Mississippi specifically by allowing for prompt adoption of the proposed channel change. In addition, consideration of the Amendment will ensure that the Bureau can resolve

¹ Civic is a wholly-owned subsidiary of Civic License Holding Company, Inc., formerly the licensee of WLBT(TV), Jackson, Mississippi.

² See Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Jackson, Mississippi), *Notice of Proposed Rule Making*, 16 FCC Rcd 4408 (2001).

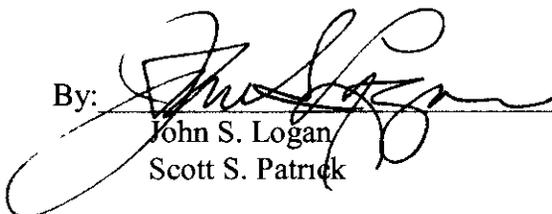
this proceeding on the basis of a complete and full record.³

In light of the foregoing, Civic respectfully requests leave to file the attached Amendment to Petition for Reconsideration.

Respectfully submitted,

CIVCO, INC.

By:



John S. Logan
Scott S. Patrick

Its Attorneys

Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036
(202) 776-2000

Dated: April 19, 2004

³ See 47 C.F.R. §§ 1.415(d) and 1.425. See also *Alberta, Virginia and Whitakers, North Carolina; Dinwiddie, Virginia and Garysburg, North Carolina*, 17 FCC Rcd 8789 at n.3 (2002) (granting leave to file supplemental pleading to assure a more complete record); *Lake Havasu City, Arizona, and Laughlin, Nevada*, 15 FCC Rcd 11664 at n.1 (2000) (accepting late-filed statement “to enable the Commission to resolve this proceeding on the basis of a complete record”); *Winslow, Camp Verde, Mayer, and Sun City West, Arizona*, 15 FCC Rcd 9155 at n.4 (2000) (accepting supplement to provide “a more complete record for resolution of this proceeding”).

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

In the Matter of)	
)	
Amendment of Section 73.622(b))	MM Docket No. 01-43
Table of Allotments,)	RM-10041
Digital Television Broadcast Stations)	
(Jackson, Mississippi))	
)	

To: Office of the Secretary
Attn: Chief, Video Division
Media Bureau

AMENDMENT TO PETITION FOR RECONSIDERATION OF CIVCO, INC.

CivCo, Inc. (“Civic”),¹ licensee of WLBT(TV), Jackson, Mississippi, by its attorneys, hereby amends its petition for reconsideration of the Report and Order (the “*Order*”) in the above-referenced proceeding filed on November 6, 2003. In the *Order*, the Bureau dismissed Civic’s petition to substitute DTV Channel 9 for WLBT(TV)’s assigned DTV Channel 51 and found that Civic’s proposed maximization of DTV Channel 9 at 18 kW or 20 kW was unacceptable for consideration.² In the petition for reconsideration, Civic argued that the Bureau erroneously dismissed Civic’s petition and revised its proposed maximum ERP for DTV Channel 9 to 15 kW.

By this amendment, Civic revises its proposal and will accept establishing the allotment of DTV Channel 9 at Jackson, Mississippi at 3.2 kW, the power level the Bureau specified in the

¹ Civic is a wholly-owned subsidiary of Civic License Holding Company, Inc., formerly the licensee of WLBT(TV), Jackson, Mississippi.

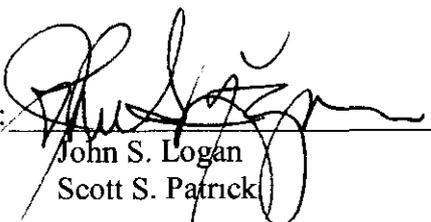
² Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Jackson, Mississippi), *Report and Order*, 18 FCC Rcd 19240 (2003).

Notice of Proposed Rule Making (the “*Notice*”) in this proceeding.³ Civic also hereby reconfirms its interest and intent to construct and operate WLBT-DT on Channel 9. Upon the Bureau’s adoption of changes in the DTV Table of Allotments as described in the *Notice*, Civic promptly will commence efforts to obtain authorization to construct WLBT-DT on Channel 9.

THEREFORE, Civic respectfully requests that the Bureau promptly adopt the rule proposed in the *Notice* and amend Section 73.622(b) of the Commission’s Rules to substitute Channel 9 for Channel 51 for use by WLBT-DT at the specified reference point in Jackson, Mississippi.

Respectfully submitted,

CIVCO, INC.

By: 
John S. Logan
Scott S. Patrick
Its Attorneys

Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036-6802
(202) 776-2000

Dated: April 19, 2004

³ See Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Jackson, Mississippi), *Notice of Proposed Rule Making*, 16 FCC Rcd 4408 (2001).

CERTIFICATE OF SERVICE

I, Cynthia Forrester, a secretary at the law firm of Dow, Lohnes & Albertson, PLLC do hereby certify that on this 19th day of April, 2004, I caused a copy of the foregoing "MOTION FOR LEAVE TO FILE AMENDMENT TO PETITION FOR RECONSIDERATION OF CIVCO, INC." and "AMENDMENT TO PETITION FOR RECONSIDERATION OF CIVCO, INC." to be served on the following:

By Hand

Barbara Kreisman
Federal Communications Commission
445 12th Street, SW, Room 2-A666
Washington, DC 20554

Clay Pendarvis
Federal Communications Commission
445 12th Street, SW, Room 2-A662
Washington, DC 20554

Hossein Hashemzadeh
Federal Communications Commission
445 12th Street, SW, Room 2-C866
Washington, DC 20554

Pamela Blumenthal
Federal Communications Commission
445 12th Street, SW, Room 2-A860
Washington, DC 20554

By U.S. Mail:

Kathryn R. Schmeltzer, Esq.
Paul A. Cicelski, Esq.
Shaw Pittman LLP
2300 N Street, NW
Washington, D.C. 20037
Counsel for Gene A. Blalock

David D. Oxenford, Esq.
Lauren Lynch Flick, Esq.
Shaw Pittman LLP
2300 N Street, NW
Washington, DC 20037
*Counsel for Vicksburg Channel 35
Associates, LLC*

Stephen C. Simpson, Esq.
Law Office of Stephen C. Simpson
1090 Vermont Avenue, N.W.
Suite 800
Washington, DC 20005
Counsel for George S Flinn, Jr.

Jeffrey L. Timmons, Esq.
Jeffrey L. Timmons, P.C.
3235 Satellite Boulevard
Building 400, Suite 300
Atlanta, Georgia 30096-8688
Counsel for KM Communications, Inc



Cynthia Forrester