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MAY - 7 2004

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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May 7, 2004

By Hand Delivery

Marlene H. Dortch, Esquire
Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, D.C. 20554

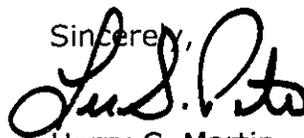
RE: MB Docket No.: 04-105, RM-10909, RM-10910, RM-10911
Terre Haute, Indiana - Channel 298A
Living Proof, Inc., Petitioner - FRN: 0006-2429-11

Dear Ms. Dortch:

Living Proof, Inc., by and through its attorneys, hereby submits these Comments in support of its Petition for Rulemaking to reserve the above-reference vacant commercial FM allotment for noncommercial use.

Should there be any questions regarding this matter, please contact undersigned counsel.

Sincerely,



Harry C. Martin
Lee G. Petro

Counsel for Living Proof, Inc.

Enclosures

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Before the
Federal Communications Commission MAY - 7 2004
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

<u>In the Matter of:</u>	}	
	}	
Amendment of Section 73.202(b),	}	MB Docket No.: 04-105
Table of Allotments,	}	RM-10909
FM Broadcast Stations	}	RM-10910
	}	RM-10911
(Terre Haute, Indiana)	}	

TO: CHIEF, MEDIA BUREAU

COMMENTS

Living Proof, Inc. ("Living Proof"), by and through its attorneys, hereby submits these Comments in support of the reservation of Channel 298A, Terre Haute, Indiana, for noncommercial use. Living Proof submitted a Petition for Rulemaking on November 21, 2003, in response to the *Public Notice*³ establishing a filing window for reserving existing, vacant commercial FM allotments. On April 5, 2004, the FCC released a Notice of Proposed Rulemaking proposing the reservation of the allotment for NCE use.⁴

As noted in the Petition, the reservation of the allotment would deliver 40,985 persons their second NCE service, and would best serve the public interest. Living Proof continues to support this allotment, and intends to file an application for the allotment should the Commission reserve the allotment for NCE use.

³ *Media Bureau Opens Window to Permit Noncommercial Educational Reservation Showings for Certain Vacant FM Allotments*, Public Notice, DA 03-2990 (rel. Sept. 30, 2003) (the "Public Notice").

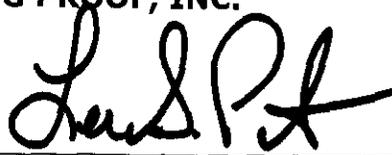
⁴ *Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Various)*, 19 FCC Rcd 6093 (2004).

Therefore, Living Proof, Inc., respectfully requests that the Commission grant the Petition for Rulemaking, and reserve Channel 298A at Terre Haute, Indiana.

Respectfully submitted,

LIVING PROOF, INC.

By: _____

A handwritten signature in black ink, appearing to read "Lee G. Petro", written over a horizontal line.

Harry C. Martin
Lee G. Petro

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Its Counsel

May 7, 2004

CERTIFICATE OF SERVICE

I, Michelle Brown Johnson, a Secretary with the law firm of Fletcher, Heald & Hildreth PLC, certify that I have sent the foregoing "COMMENTS", via first-class mail to the following:

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Counsel for The Trustees of Indiana University

By: 
Michelle Brown Johnson

May 7, 2004