

AMERICAN FAMILY ASSOCIATION

Office of General Counsel

PATRICK J. VAUGHN

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June 8, 2004

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
c/o Vistrionix, Inc.
236 Massachusetts Avenue, NE
Suite 110
Washington, DC 20002

Ref: MB Docket No. 04-115
Channel 278C2 at Huntsville, Missouri

Dear Secretary Dortch:

Please accept for filing an original and four copies of the Reply Comments of the American Family Association, Inc. in the above referenced Rule Making.

Also please file-stamp and return in the enclosed self-addressed postage paid envelope, the extra copy of the Comments.

Sincerely,

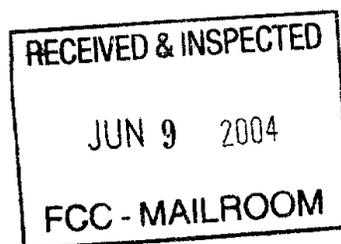
Patrick J. Vaughn
General Counsel

PJV/tgr

Enclosures

No. of Copies rec'd 014
List Attached

**Before the
Federal Communications Commission
Washington, D.C.**



In the Matter of)	MB Docket No. 04-115
)	
Amendment of § 73.202(b))	RM-10926
Table of Allotments,)	
FM Broadcast Stations)	
Channel 278C2 at Huntsville, Missouri)	

REPLY COMMENTS

The American Family Association, Inc. (“AFA”) by its General Counsel and pursuant to §§ 1.415 and 1.420 of the Commission’s Rules and the Notice of Proposed Rule Making in this matter (DA 04-963, released April 14, 2004), hereby files a Reply to the Comments submitted by Kirk LLC (“Kirk”) regarding reservation of Channel 278C2 at Huntsville, Missouri, for noncommercial use.

AFA hereby incorporates by reference its Petition for Rule Making and Comments with respect to this reservation and restates its intention to apply for the channel if it is reserved and, if authorized to build the station promptly.

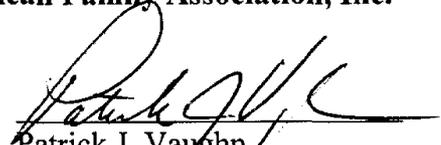
Kirk’s Comments in opposition to the reservation of Channel 278C2 at Huntsville, Missouri for noncommercial are based upon engineering assumptions that cannot be proven and would not be accepted by the Commission for licensing. Kirk disputes AFA’s technical preclusion showing, arguing that Channels 204 and 206 are available for noncommercial service. However, to make those channels work Kirk proposes an antenna radiating 1 kw horizontal power and 25.5 kw vertically. Such an antenna does not conform with the Commission’s standards of engineering proof. The stations on Channel 204 and 206 that Kirk argues are

theoretically available do not conform to the Commission's engineering standards, and would not be authorized. Accordingly, AFA requests that the Commission reserve Channel 278C2 at Huntsville, Missouri for noncommercial use.

Respectfully Submitted,

American Family Association, Inc.

By:


Patrick J. Vaughn
Its General Counsel

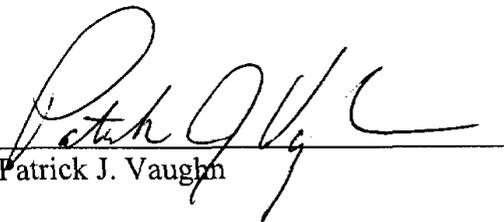
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CERTIFICATE OF SERVICE

I, Patrick J. Vaughn, hereby certify that I have caused to be served, this June 8, 2004, a copy of the foregoing "Reply Comments" by First Class Mail, postage prepaid, on the following:

Rolanda F. Smith
Media Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Lauren A. Colby
10 E. Fourth Street
P.O. Box 113
Frederick, MD 21705-0113


Patrick J. Vaughn