

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

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In the matter of)
Amendment of Section 73.202 (b),) MB Docket No. 04-306
FM Broadcast Stations) RM-10659
(Orchard Mesa, Colorado))

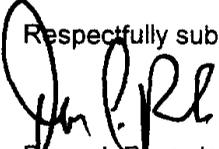
Supporting Comments of Petitioner

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To the Chief, Allocations Branch:

1. Dana J. Puopolo ("Petitioner") respectfully submits his comments supporting the above captioned proceeding. The Commission has proposed to allot FM channel 249C3 to Orchard Mesa, Colorado as that community's first commercial FM service.
2. Petitioner supports the Commission's proposal and hereby restates that he or a company in which he is an owner intends to file an application for a construction permit to activate FM channel 249C3 if it is assigned to Orchard Mesa as proposed. If his application is granted, he will expeditiously build and operate the proposed station.
3. The Commission has asked petitioner to demonstrate that Orchard Mesa is "community" for allotment purposes. Orchard Mesa is a village located within the city of Grand Junction, Colorado. It has its own zip code (81503) and telephone exchange (970-242). The Orchard Mesa Middle School and Lincoln Orchard Elementary School are located there, as are four churches, two real estate offices, an Alco Department Store, a dentist, a pro sporting goods store, and several restaurants. The Orchard Mesa branch of the Colorado Motor Vehicle Department is located in Orchard Mesa. Many businesses there include Orchard Mesa in their name, including Orchard Mesa Liquors, Orchard Mesa Laundromat, Orchard Mesa True Value Hardware, Orchard Mesa Super Wash, Orchard Mesa Market, and Orchard Mesa Lanes (bowling alley). The Orchard Mesa Library is located there, as is the Orchard Mesa Veteran's Hospital, Orchard Mesa Landfill, Orchard Mesa Community Center, Orchard Mesa Cemetery, and Orchard Mesa Sanitation District. The Commission routinely grants FM allotments to villages within larger communities (see *Hyannis, Massachusetts for example*). There can be no doubt that Orchard Mesa is a community for allotment purposes.
4. Petitioner hereby verifies and affirms that the statements given in this petition for rulemaking are his, and are accurate to the best of his knowledge.

Respectfully submitted,


Dana J. Puopolo
2134 Oak St., Unit C
Santa Monica, CA 90405
September 24, 2004

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