

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)
)
Amendment of Section 73.622(i),)
Post-Transition Table of DTV Allotments,)
Television Broadcast Stations.)
(Seaford, Delaware))

MB Docket No. 09-230
RM-11586

FILED/ACCEPTED

AUG 20 2010

Federal Communications Commission
Office of the Secretary

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

RESPONSIVE COMMENTS

Nave Broadcasting, LLC ("Nave"), by its counsel, files its Responsive Comments in the above-captioned rulemaking proceedings. In support of its position, Nave submits the following.

Broadcast Maximization Committee ("BMC") has filed a Reply to the "Qualified Opposition to Petition for Reconsideration" filed by PMCM TV, LLC in this proceeding. In its Reply, BMC mischaracterizes statements made by Nave in its comments filed in this case. For example, on pages 1 and 2 of its Reply, BMC states that there was no interest expressed in serving Seaford, Delaware with Channel 5. BMC acknowledges at note 3 that Nave filed an interest in Channel 5 at Seaford, but then states that Nave stated that it would apply for Channel 3 instead. BMC states at page 3 of its Reply Comments that "in view of the absence of any interest specifically in Channel 5 at Seaford currently," it would not be prudent or advisable to allot that channel to Seaford, Delaware.

In its Comments in this proceeding, Nave stated its interest and supported the proposed allotment of Channel 5 to Seaford. In Reply Comments filed in this proceeding, Nave reiterated that it had expressed an interest in and support of the proposed allotment of Channel 5 at

Seaford. Nowhere within its Reply Comments, however, did Nave withdraw its earlier support or interest in Channel 5.¹ Nave stated that it understood that BMC would be proposing the use of Channel 3 in its Reply Comments in this proceeding and that Nave found the allotment of Channel 3 at Seaford acceptable. And, in fact, Nave supports the allotment and would file an application for Channel 3 or Channel 5 depending on which one was allotted to Seaford by the Commission. Nave is not interested in, and has never expressed an interest in, Channel 2 at Seaford.

In light of the foregoing, Nave urges the Commission to reaffirm its amendment of the Post-Transition Table of DTV, Section 73.632(i) of the Commission's rules.

Respectfully submitted,

NAVE BROADCASTING, LLC

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August 20, 2010

¹ Nave assumes that BMC has simply misunderstood Nave's Reply Comments in stating that Nave would only apply for Channel 3.

CERTIFICATE OF SERVICE

I, Jason Silverman, a secretary in the law firm of Shainis & Peltzman, Chartered, hereby certify that on August 20, 2010, I caused a copy of the foregoing "Reply Comments" to be served via first-class mail, postage prepaid, upon the following persons:

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