

July 6, 2023

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

**REPLY TO OPPOSITION TO PETITION FOR RECONSIDERATION**

RE: FCC File No. 167104 Vida Ministry Inc. (FCC MX Group 200)

Call Communications Group, Inc. (“Call”), “the objector,” did not provided any population data, population values, or population “figures” in its Petition to Deny. Therefore, it is impossible that the Commission could have used “objector’s population figures” (that have never existed) in this proceeding. Vida Ministry, Inc. (“Vida”) is mistaken that “objector’s population figures” exist.

Call has referenced a small number of instances where the Commission has blatantly changed applicants’ square kilometer coverage area responses during paper hearings (which is inconsistent with the rules governing hearing proceedings 47 CFR § 1.254). *Area* is the extent or measurement of a surface or piece of land while *population* is a numerical count of persons. These are two very different values. Despite Vida’s parroting of the Commission’s mistaken citations, Call knows of no case where the Commission has borrowed an objector’s *population* figures in a proceeding.

Vida does not dispute the main arguments of Call’s Petition for Reconsideration which are:

1) The NCE “points system” analysis is a simplified paper hearing and 47 CFR § 1.254 permits only the applicant to make claims (population and area coverage) in a hearing proceeding.

2) Points cannot be awarded without proper supporting exhibits which are an assured “safeguard” built into the “points system” comparative analysis of the *2000 NCE Order*.

3) In some of the very few cases where area coverage values are an issue, the Commission has excluded applications where values were completely missing (a non-answer) and changed values that were incorrect. Therefore, the Commission has acted arbitrarily by choosing which applications to “fix” and which to exclude which makes a meaningless (or random) coverage area value have more weight than a blank answer. Even if the Commission explains how a simplified paper hearing is not a “real hearing” to get around 47 CFR § 1.254, the cases cited by Call in the Petition for Reconsideration indicate that the Commission’s inconsistent actions in such cases are arbitrary. Those actions equate to handing out a “participation award” to certain applicants by using a proficient applicant’s work to change the incorrect value while in other cases penalizing applicants that simply left the answer blank (See the Petition for Reconsideration for cases cited).

Vida does not dispute the main arguments in its Opposition.

Sincerely,



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