

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

Received & Inspected  
OCT 30 2009  
FCC Mail Room

In re application of )  
 )  
STU-COMM, INC. )  
 ) File No. BPFT-20090819AHH  
For Authority to Construct )  
or Make Changes in )  
FM Translator Station W218BZ, )  
Crozet, Virginia )  
 )

91283

To: Chief, Audio Services Division      Media Bureau

REPLY TO OPPOSITION TO PETITION FOR RECONSIDERATION

The Board of Trustees of Eastern Mennonite University, licensee of WEMC, Harrisonburg, Virginia ("WEMC"), respectfully submits this reply to the *Opposition to Petition for Reconsideration* submitted by Stu-Comm, Inc. ("Stu-Comm").

**Stu-Comm** states that the petition filed by **WEMC** is lacking in both signature and address.

The original copy of the *Petition for Reconsideration* submitted to the Commission was signed by Twila King Yoder on October 7, 2009. The cover letter attached to the petition, and received by **Stu-Comm**, plainly stated the address for all correspondence to the signatory.

The **opposition** states that they have "significant concerns about whether this filing was truly authorized by the Board of Trustees of Eastern Mennonite University."

Twila King Yoder, an employee of Eastern Mennonite University is the Corporate Secretary to the Board and as such is authorized to sign on behalf of the Board.

**WEMC** has made a strong case in the issue of negligible population in other pleadings against Virginia Tech Foundation and noted that the parent station cited in this "fill-in" application prepared by the same consulting engineer is also licensed by Virginia Tech Foundation<sup>1</sup>. This is the reason for our petition. **WEMC** has no interest in attempting to "delay, obfuscate or harass Stu-Comm in its operation," rather **WEMC** desires that our petition be considered on its merits thereby creating a level-playing field

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<sup>1</sup> We also noted many similarities between their applications and the instant application.

for all concerned. And on those merits, **WEMC** requests that the instant construction permit issued to **Stu-Comm** be rescinded.

Respectfully Submitted,  
**BOARD OF TRUSTEES OF  
EASTERN MENNONITE UNIVERSITY**

October 29, 2009

By: Twila K. Yoder  
Twila King Yoder  
Corporate Secretary to the Board

Board of Trustees of Eastern Mennonite University  
Twila King Yoder, Secretary  
1200 Park Road  
Harrisonburg, Virginia 22802

AFFIDAVIT

Commonwealth of Virginia     )  
  )  
City of Harrisonburg            )                   ss:

Twila King Yoder, having been first duly sworn upon oath,  
states that she is the Corporate Secretary to the Board of  
Trustees of Eastern Mennonite University and that as an Officer  
of the Corporation she has signature authority on their behalf  
concerning filings such as this with the Federal Communications  
Commission.

She further states that she has read the Opposition document to  
which this is attached, and that to the best of her knowledge,  
information, and belief there is good ground to support it, and  
that it is not interposed for delay.

Twila K. Yoder  
Twila King Yoder

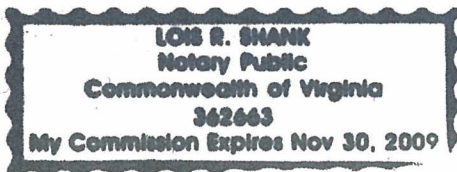
Subscribed and sworn to before me this 29th day of October 2009.

Lois R. Shank

Notary Registration Number  
362663

Lois R. Shank  
NOTARY PUBLIC (SEAL)

My commission expires  
**November 30, 2009**



AFFIRMATION OF SERVICE

I, Twila King Yoder, Corporate Secretary to the Board of Trustees of Eastern Mennonite University, do certify that on this date, by United States Postal Service First Class mail, copies of this Petition for Reconsideration was sent to:

Mr. Michael C. Friend  
General Manager  
Stu-Comm, Inc.  
2250 Old Ivy Road  
Charlottesville, Virginia 22903

Mr. Brendan Holland, Esq.  
DAVIS WRIGHT TREMAINE LLP  
1919 Pennsylvania Avenue, N.W.  
Suite 200  
Washington, DC 20006

October 29, 2009

By: Twila K. Yoder  
Twila King Yoder  
Corporate Secretary to the Board