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HAND DELIVERY
Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: MM Docket No. 92-81, RM-7875

Dear Ms. Searcy:

Transmitted herewith, on behalf of Pulitzer Broadcasting Company, for filing in the above-referenced proceeding is a supplemental Engineering Statement prepared by Jules Cohen & Associates, P.C. This Statement clarifies certain questions with respect to Pulitzer's engineering showing raised for the first time in the Reply Comments filed by KOB-TV, Inc. on June 23, 1992. In the event there are any questions concerning this matter, please communicate with this office.

Sincerely yours,

Eric T. Werner

Eric T. Werner

Enclosures
cc: Michael C. Ruger, Esq. (w/encl.)
Marvin Rosenberg, Esq. (w/encl.)

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JULES COHEN & ASSOCIATES, P.C.
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WASHINGTON, D.C. 20036

ENGINEERING STATEMENT
PULITZER BROADCASTING COMPANY
STATION KOAV(TV)
GALLUP, NEW MEXICO
MM DOCKET NO. 92-81

This engineering statement was prepared on behalf of Pulitzer Broadcasting Company (Pulitzer), permittee of Station KOAV, Gallup, New Mexico, as a supplement in support of Pulitzer's Reply Comments in MM Docket 92-81. Pulitzer filed comments and reply comments in this proceeding in which it seeks reallotment of Channel 3 from Gallup to Farmington, New Mexico, and the modification of the construction permit for its station KOAV to specify Farmington in lieu of Gallup as the community of license.

Comments and reply comments were also filed in this proceeding by KOB-TV, Inc. (KOB), licensee of KOB-TV, Albuquerque, New Mexico. In its reply comments, KOB attempts to bolster its arguments by introducing three new technical points not presented previously in its comments. KOB contends (1) that Pulitzer's use of CSPM is inappropriate; (2) that the service value index for Gallup is higher than that for Farmington; and (3) that Pulitzer failed to include KCHF(TV), Channel 11, and KKTO(TV), Channel 2, Santa Fe, New Mexico, in its other services showing. KOB also continues to discredit the feasibility of constructing the facilities proposed for Farmington. This statement addresses the new arguments advanced by KOB and the technical showing made by KOB in its Reply Comments and will show why they are without merit.

First, KOB states that the FCC previously found CSPM to be an unsatisfactory alternative propagation model for rule-making purposes. The Commission's concern in the case cited by KOB was compliance of the petitioner's proposal with Section 73.685(a) of the FCC's Rules which requires a television station to provide a certain minimum signal strength to its community of license. In contrast, the FCC requested in the *Notice of Proposed Rule Making*, that Pulitzer provide "... a map showing the approximate contour of Station KREZ's actual coverage. The showing should

also include a modified contour for Station KOAV at Farmington which accounts for the signal shielding in the direction of Durango." In the case cited by KOB in its reply comments, the petitioner employed CSPM to demonstrate compliance with the FCC's city grade coverage requirement. In the instant case, Pulitzer used CSPM to provide a showing requested by the Commission in its *Notice*. Use of the CSPM is in no was inconsistent with an informal conversation with the FCC's staff wherein it was suggested that use of an irregular terrain propagation model to determine the approximate contour locations was desirable.

KOB also complains that Pulitzer provided no sample calculations to accompany its CSPM maps. The sample calculations were not submitted because the CSPM is a well known model for which an abundance of documentation is readily available. As the Commission is aware, CSPM was developed and is maintained by another agency of the federal government, the National Telecommunications and Information Administration. The bases for calculations made using the CSPM are a matter of public record, and the FCC may take official notice of them. Thus, just as it provided no sample distance calculations, sample height above average terrain calculations, or sample distances to contours calculations, Pulitzer provided no sample CSPM calculations either to avoid burdening the engineering analyses with unnecessary computational detail. Such sample calculations can be provided upon request in the event the Commission determines that they are necessary.

Second, KOB applies the service value index methodology presented in the *Memorandum Opinion and Order* in MM Docket 86-29 and used to resolve mutually exclusive allotment proposals for Greenup, Kentucky, and Athens, Ohio, to the instant case. However, KOB's use of the service index methodology in this case overlooks the fact that this methodology was developed for resolving a particularly difficult FM allotment conflict for which there were two potential applicants and one channel. In this case, by contrast, there is one permittee and one potential applicant and <u>two</u> channels. As FM allotment proceedings go, if there are two applicants

and two equivalent channels, no conflict arises since both interested parties can be accommodated and, consequently, there is no need to employ the service value index methodology to determine the superior proposal.

Nevertheless, the undersigned is highly familiar with the service value index methodology and has prepared such studies. The outcome of a service value index study hinges on the consistency of the method's application as it pertains to the FM service and the accuracy of the area and population computations. The guidelines for using the method for evaluating mutually exclusive FM proposals have developed over the years and are quite specific as to the coverage area radii and other parameters. The outcome of a service value index analysis is highly dependent upon the accuracy with which the contour locations are calculated and plotted on a map and the accuracy with which the area of each population pocket is measured. If, for example, the contours were drawn on a minor civil division map with a scale of 1:500,000, as is typical for such maps, the width of a line used to depict a contour could be over a kilometer. The area of the pocket would vary by a few square kilometers depending upon whether the area was measured on the inside edge of the contour line, the center of the contour line, or the outside edge of the contour line. Likewise, the choice of method used to count the population contained in a pocket also can have an impact on the outcome of the analysis. A hand count assuming a uniform distribution of population within a division will certainly yield a different population count than would a computer count which uses centroids of population in its enumeration. While no data exists for the margin of error for service value index analyses, an assumed error of 10 percent certainly would not be unreasonable from an engineering standpoint.

As explained above, even under the detailed guidelines for applying the method in the FM service, the investigator's subjective determinations can produce significant statistical variances in the outcome of the service value index analysis. By contrast, no such guidelines have been set for

the method's use in the TV service; KOB has simply applied the method using its own criteria for doing so, and it has arrived at its desired conclusion.

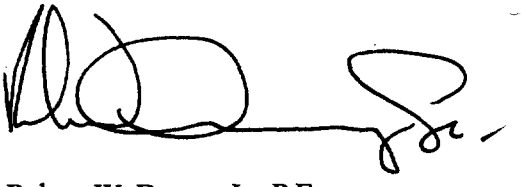
KOB's service value index analysis shows Gallup to be superior to Farmington by only 1.42 percent. This is such a small margin that, for the reasons given above, the slightest change in contour locations easily could change the results to favor the Farmington allotment.

Third, KOB states in its reply comments that KKTO, Channel 11, Santa Fe, New Mexico, should have been included in Pulitzer's other services showing. In support of its statement, KOB includes in its reply comments a map showing the Grade B contours of the proposed KOAV facility at Farmington and KKTO and KCHF, Santa Fe. KOB's map shows the KOAV Grade B contour to extend 85 kilometers in the direction of KKTO and KCHF. Pulitzer has shown in its comments that, at best, the proposed Grade B contour extends only 69 kilometers in that direction due to intervening terrain obstructions. KOB's map also ignores the effect of terrain obstructions on KKTO and KCHF. On a site-to-site basis, the signals of these two stations are terrain obstructed just 40 kilometers from their respective sites in the direction of the proposed KOAV facility. Naturally, by ignoring the effects of diffraction due to terrain obstructions, KOB can extend the Grade B contours of KOAV, KKTO, and KCHF to achieve its desired results with respect to the other services study.

Finally, KOB, once again, addresses the achievability of Pulitzer's proposed facility at Farmington as if a petitioner were required to construct a transmitting site before it submitted an allotment proposal to the FCC. KOB's implication that the presence of a short translator tower at Pulitzer's proposed site may preclude construction of a taller tower is unfounded as are the implications that FAA, state, and local approval of tower construction may not be forthcoming. Pulitzer management has advised the undersigned that they are not aware of any reason why a taller tower could not be built to achieve antenna radiation center height above average terrain of 150

meters. KOB has only asserted that construction of the tower may not be feasible; however, it has offered no concrete reason as to why the tower could not be erected.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 1, 1992.



Robert W. Denny, Jr., P.E.