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JUN 18 1993

June 17, 1993

Ms. Donna Searcy, Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

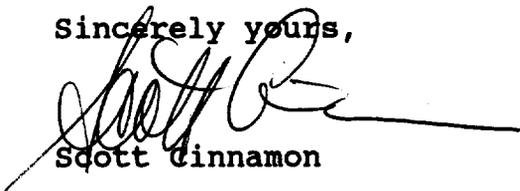
In re: MM Docket 93-114  
Amendment of LPTV Rules  
Comments

Dear Ms. Searcy:

For Third Coast Broadcasting, licensee of LPTV Station K56DP, Houston, Texas, we are filing an original and four copies of their Comments in the above-referenced docket.

If there is any question concerning this matter, please advise the undersigned.

Sincerely yours,

  
Scott Cinnamon

REC'D  
L-114-114  
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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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In the Matter of )  
 )  
Review of the Commission's ) MM Docket No. 93-114  
Rules Governing the Low Power )  
Television Service )

**COMMENTS TO NOTICE OF PROPOSED RULEMAKING  
BY THIRD COAST BROADCASTING, INC.**

Third Coast Broadcasting (Third Coast), licensee of LPTV station K56DP, Houston Texas, hereby submits its comments to Notice of Proposed Rulemaking MM Docket 93-114 (FCC 93-187) concerning the rule changes for the LPTV service proposed by the Commission. These comments are respectfully submitted as follows:

**I. Introduction.**

1. Third Coast has been a proponent of LPTV services with the understanding that Low Power television and translator services can provide the public with local, ethnic and diversity based programming as well as interactive and technical innovations which may not be available or economically feasible for full service stations to provide. Although we recognize the public benefits which can be derived from an LPTV station operating with a large number of locally originated feature and news programs, we also recognize the public benefits which can arise from translators which provide ethnically diverse programming or LPTV stations which provide technically advanced interactive programming. We feel that the programming flexibility which was designed into the LPTV service in BC Docket 78-253 should not be compromised and that the scope of LPTV programming, with regards to call letter assignment, cable carriage, HDTV displacement or any other regulation, should not be narrowed to make affected LPTV stations become smaller coverage versions of Full Service stations. We feel that there is a definite benefit to the public from LPTV and we fully support certain Commission proposals which would make LPTV stations more viable.

**II. Terrain Shielding and Acceptance Standards Proposals.**

2. Third Coast supports the Commission's proposals to relax the acceptance standards to match the current requirements of the full service television broadcast applications. It appears that the logic behind initiating the "letter perfect" rule was to decrease the application processing time in order to eliminate the application backlog from 1984. Third Coast feels that if the

would be served by implementing a more restrictive mid level acceptance standard. Third Coast also supports the Commission's proposals for expanding the criteria of consideration of Terrain Waivers and for creating joint responsibility for interference resolution for all parties to a terrain waiver assent letter. Both of these proposals would permit a faster implementation of LPTV stations across the country.

### **III. Minor Modification Proposals.**

3. Third Coast also supports the Commission's proposal to change the definition of a minor change. This proposal permits minor change applications which propose coverage contours within the proposed "bounding circle". We feel that this will permit stations who need to change their transmitting location to initiate or continue television service to the public without waiting for a filing window or unnecessarily reducing their coverage area. By requiring the modification to remain within the "bounding circle" we feel the impact to other facilities would be minimal.

4. However, we further propose the inclusion of an additional category of modification which would be considered a minor change. In major market areas, it is sometimes difficult for LPTV stations to modify their facilities to accommodate a different tower site, due to the larger number of TV stations and restrictive tower zoning rules in these cities.

5. In many cases, if a major market LPTV station loses access to a tower site, that station would be required to wait for a window to file a modification to its facility in order to comply with the interference rules. This delays LPTV service and we feel that a minor expansion of the proposed rules could help alleviate this problem.

6. We feel we understand the Commission's minor change objectives of: compliance with the LPTV interference rules, non-mutual exclusivity with other applications and suitable bounding of the contour area of the result of the change. This bounding of the result of the minor change would create a well defined area where a minor change applicant could propose modifications with boundaries which would not increase with any future subsequent minor modifications. Although the minor modifications may restrict other stations who wish to make changes, this bounding would reduce impact on new applicants by requiring the minor modification applicant to remain within a clearly defined area.

7. In many major markets the FCC has imposed a restriction on any new LPTV applications within 100 miles of the reference coordinates of the designated city. Generally, changes within these areas are more difficult than in rural areas, and, due to the distance to the 100 mile perimeter, we feel that most modifications made to stations near the reference coordinates have little, if any effect on new applications outside the 100 mile perimeter.

8. Therefore, Third Coast requests the Commission to consider an additional proposal where stations within a specified distance of the reference coordinates of a restricted city could make changes to their facilities (other than channel change) under the minor change rules. With this proposal, stations which have contours which are fully within a specified distance from the center coordinates of the restricted market would be permitted to make any change to their facilities, other than a change in output channel, providing their resulting contour remained fully

within a the bounding distance. A suggestion of this bounding distance would be 40 Km. This would provide greater flexibility within difficult major markets and would not require major market stations to wait for a window to implement changes which would have little impact outside of their market area.

#### IV. Call Signs.

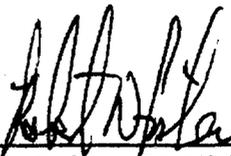
9. Third Coast agrees with the CBA that for a variety of reasons LPTV stations are at an economic disadvantage with the current configuration of call signs. One of these reasons is the unfamiliarity of the general public with broadcast call signs which include numbers. We feel that the public interprets numbered call signs to be amateur radio or citizens band call signs, and we believe it leads to a marketing credibility problem. The familiarity of the public with four letter call signs for all AM, FM and full service TV stations automatically brands a station with a call sign like "K56DP" as being something different, possibly amateur radio or television, and

## V. Conclusion.

In analysis of the foregoing, Third Coast feels that the impact of the proposed rules will be very positive to the affected LPTV stations by improving their economic viability and their ability to make necessary modifications to their facilities without undue delays, thereby permitting the LPTV stations to provide better television service to the public. Third Coast feels that with LPTV's public service in mind, it is important to recognize that economic viability of the LPTV service permits diverse, local and technologically advanced programming. Restated; LPTV's economic viability equals public service. We feel that the aforementioned proposals will dramatically help the economic viability of the LPTV service.

Respectfully submitted,

Third Coast Broadcasting, Inc.  
P.O. Box 1704  
Stafford TX 77477-1704

By  \_\_\_\_\_  
Robert W. Fisher  
President