

AUG - 3 1993

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

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Amendment of Section 73.606(b) )  
Table of Allotments, )  
TV Broadcast Stations )  
(Willits, California) )

MM Docket No. 93-142

To: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

REPLY COMMENTS OF UTV OF SAN FRANCISCO, INC.  
AND KGO TELEVISION, INC.

UTV of San Francisco, Inc., licensee of KBHK-TV, San Francisco ("KBHK"), and KGO Television, Inc., licensee of KGO-TV, San Francisco ("KGO"), reply as follows to the only comments in this proceeding that support the above-captioned proposal -- the comments of Granite Broadcasting Corporation and its subsidiary, KNTV, Inc., licensee of KNTV(TV), San Jose ("KNTV"):<sup>1/</sup>

The KNTV-inspired proposal to delete the existing allotment of channel 11 at Willits cannot be reconciled with fundamental Commission policy. There is a current expression of interest in the use of the Willits allotment.<sup>2/</sup> In these circumstances, long-standing Commission policy requires compelling justification for the deletion of any allotment. See Table of

<sup>1/</sup> These comments will be cited hereafter as "KNTV Comments."

<sup>2/</sup> See the Comments of William H. Sauro and Ronna L. Sauro, filed July 19, 1993.

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Allotments, TV Broadcast Stations (Montrose and Scranton, Penn-

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available to the south that would allow fully adequate service to San Jose, without requiring deletion of the Willits allotment.<sup>6/</sup>

The KNTV Comments add very little to the inadequate showing on these points made in the KNTV petition for rulemaking. They do not address at all the alternative of structural improvements to the KNTV tower. And they offer only nonexpert opinion to the effect that five sites located from 5 to 9 km north of the existing KNTV site would be safer from potential earthquake hazards.<sup>7/</sup> Attached hereto is a supplementary Statement of C.B. Crouse, whose qualifications as an expert have been previously shown, which concludes that (i) the "ground-motion seismic hazard" at the five specified sites is "comparable and possibly slightly greater than the ground-motion hazard at KNTV's present tower location at Loma Prieta peak," and (ii) the "likelihood of ground failure due to ground cracking, fissures, slumping, landslides or surface fault rupture" is "low at Loma Prieta peak and at the five alternate sites" (*id.* at ¶ 4).

KNTV also continues to maintain that sites to the north are the only ones that would allow it to maintain "comparable or improved service to San Jose."<sup>8/</sup> Attached hereto is a Statement of Robert L. Hammett which shows that (i) there are sites to the south from which KNTV could provide a "principal community" signal to at least 95% of the population of San Jose and (ii) the

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<sup>6/</sup> KBHK/KGO Comments at 5-6 & Ericksen Statement at 3-4.

<sup>7/</sup> KNTV Comments at 7-9 & Ex. 1.

<sup>8/</sup> KNTV Comments at 7 & Ex. E at 7-9.

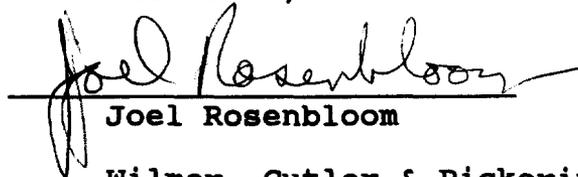
alternative sites identified by KNTV would provide "more television service to the already-well-served regions of the Bay Area and less service to the rural areas south of San Jose" (*id.* at 1-2).

#### CONCLUSION

Long-standing, fundamental Commission policies impose a heavy burden on KNTV as the proponent of the channel deletion here in question. KNTV has not begun to discharge that burden. Its proposal should be swiftly and firmly rejected.

Respectfully submitted,

UTV OF SAN FRANCISCO, INC.  
KGO TELEVISION, INC.

  
Joel Rosenbloom

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Their Attorneys

August 3, 1993

**JOINT ENGINEERING EXHIBIT**  
**STATIONS KGO-TV AND KBHK-TV**  
**SAN FRANCISCO, CALIFORNIA**  
**ENGINEERING EXHIBIT IN SUPPORT OF**  
**REPLY COMMENTS IN**  
**MM DOCKET 93-142**

**July 30, 1993**

**HE** **HAMMETT & EDISON, INC.**  
CONSULTING ENGINEERS  
SAN FRANCISCO

**MM DOCKET 93-142, RM-8208  
PROPOSED DELETION OF CHANNEL 11 ALLOCATION  
WILLITS, CALIFORNIA**

**STATEMENT OF ROBERT L. HAMMETT, CONSULTING ENGINEER**

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by KGO Television, Inc., licensee of Station KGO-TV, Channel 7, San Francisco, and by UTV of San Francisco, Inc., licensee of Station KBHK-TV, Channel 44, San Francisco, to review the engineering aspects of the comments of Granite Broadcasting Corporation and KNTV, Inc. ("Granite") dated July 19, 1993, in MM Docket 93-142.

**ALTERNATIVE KNTV SITES SOUTH OF LOMA PRIETA**

As explained in detail in our engineering statement dated July 16, 1993, with attached exhibits from recognized experts in seismological engineering and structural engineering, any potential future earthquake hazards do not require relocating the KNTV transmitting facilities. Our earlier engineering statement also pointed out that if, for some other reason, Granite wished to relocate the KNTV transmitting facilities, it could do so toward the south without requiring the deletion of Channel 11 at Willits. We pointed out, as an example of such a southern site, the existing site of TV Station KSBW, Channel 8, Salinas, California, from which essentially all of San Jose could be served.

We have now determined the population in the city of San Jose that would be served by the 77 dBu contour from an operation at or near the KSBW tower with 172 kilowatts of effective radiated power and an antenna height of 871 meters above average terrain. Our population study, based on the map of Figure 6 in our previous statement and on a count of the Census Blocks in the 1990 Census, shows that KNTV could serve 746,200 persons within the city of San Jose, which has a total population of 782,248 persons. That study therefore shows that 77 dBu service could be furnished to 95% of the city, which would meet the Commission policy that 80% or greater coverage of a station's city of license with a "city grade" signal strength does comply with Section 73.685(a) of the FCC Rules.

There are numerous other potential sites located along a ridge close to an existing road between KSBW and KNTV, any one of which could provide comparable service to San Jose with an appropriate tower height. Many of these sites are higher than the KSBW site but could not be used by KSBW because of its requirement (not shared by KNTV) to be located 60 miles from adjacent channel stations in San Francisco. We are familiar with this area because the firm of Hammett & Edison, Inc. provided all the television engineering services that were required to obtain its FCC permit and construct KSBW in 1984. It is our considered professional opinion that

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PROPOSED DELETION OF CHANNEL 11 ALLOCATION  
WILLITS, CALIFORNIA**

alternative sites towards the south would be potentially usable by KNTV, although we reiterate our opinion that there is no technical requirement to relocate from the existing KNTV site.

AFFIDAVIT

State of California

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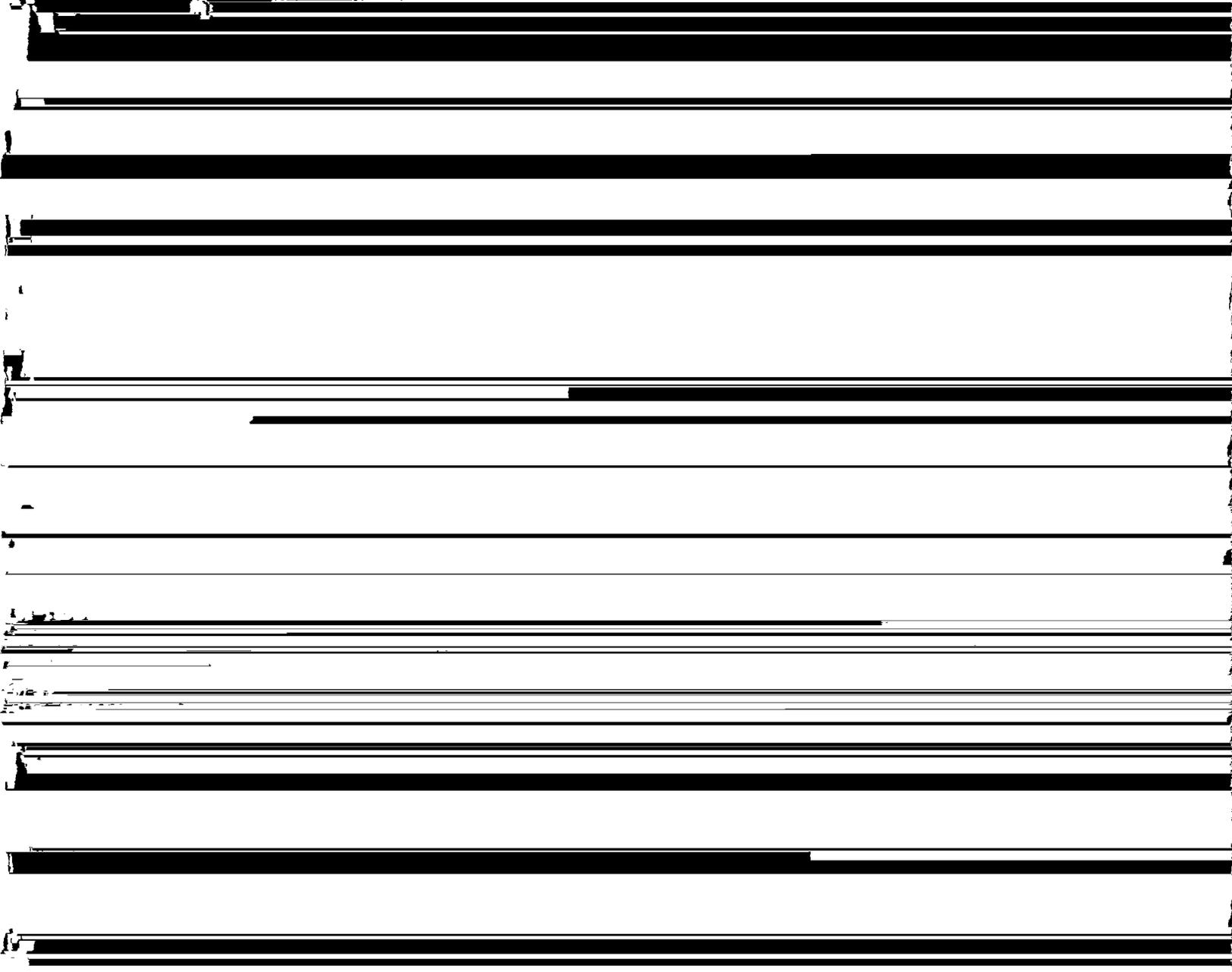
County of San Mateo

Robert L. Hammett, being first duly sworn upon oath, deposes and says:

1. That he is a qualified Registered Professional Engineer, holds California Registration No. E-007601 which expires September 30, 1994, is also registered in the District of Columbia, and is a consultant to the firm of Hammett & Edison, Inc., Consulting Engineers, with offices located near the city of San Francisco, California,

2. That he graduated from Stanford University in 1942, received a Master of Arts Degree in Electrical Engineering from Stanford University in 1943, was a Research Associate at Radio

~~Engineering Laboratory, Stanford University, from 1943 through 1945, and has received~~



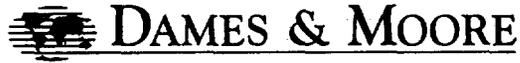


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**STATEMENT OF C. B. CROUSE, CONSULTING ENGINEER,  
IN CONNECTION WITH MM DOCKET 93-142**

I, C. B. Crouse, declare the following:

1. I have been retained by Hammett & Edison, Inc. to review (a) the seismic hazard of the five sites KNTV has identified as the least short-spaced possible alternative sites to the present KNTV site at Loma Prieta peak, and (b) the Declaration of Richard E. Hammond contained in the comments in Support of Notice of Proposed Rule Making filed with the FCC on July 19, 1993 by Akin, Gump, Strauss, Hauer & Feld, L.L.P. on behalf of Granite Broadcasting Corporation and KNTV, Inc.
2. My qualifications to perform this review were provided in the Engineering Exhibit in Support of Comments to MM Docket 93-142. That exhibit was part of the Comments of UTV of San Francisco, Inc. and KGO Television, Inc. filed with the FCC on July 19, 1993.
3. I reviewed available publications and maps dealing with the seismic hazard in the region of the five alternative sites and discussed some of this information with Jim Hengesh, geologist in the Dames & Moore San Francisco office.
4. Based on my review studies, I conclude that the ground-motion seismic hazard at the five alternative sites is comparable and possibly slightly greater than the ground-motion hazard at KNTV's present tower location at Loma Prieta peak. Furthermore, during the next 30 years (the assumed remaining life of the present tower), the likelihood of ground failure due to ground cracking, fissures, slumping, landslides or surface fault rupture is considered to be low at Loma Prieta peak and at the five alternative sites. The reasons for my conclusions in this paragraph are provided in the following paragraphs.
5. The five alternative sites are located approximately 5 to 9 km northwest of Loma Prieta peak and therefore are approximately 5 to 9 km closer to the San Francisco Peninsula segment of the San Andreas fault. As explained in Paragraph 13 of my July 14, 1993 declaration, which was part of the aforementioned submittal to the FCC dated July 19, 1993, this segment of the San Andreas fault is estimated to have a relatively high probability (0.23) of a magnitude  $M=7$  earthquake during the 30-year period 1990 to 2020. I also explained in that paragraph that (a) the 1989 earthquake was coincident with



**Statement of C. B. Crouse Consulting Engineer,  
In Connection with MM Docket 93-142**

the Santa Cruz Mountain segment of the San Andreas fault, which is the segment closest to Loma Prieta peak and the five alternative sites, and (b) in 1988 the probability of a  $M \sim 6.5$  on this segment during the 30-year period 1988-2018 was estimated to be 30 percent by The Working Group in California Probabilities, but shortly after the 1989 event the same group estimated that the probability of a  $M=7$  event on this segment was now negligible during the 30-year period 1990-2020. Therefore, because the five alternative sites are closer to the location of the next likely major earthquake on the San



Statement of C. B. Crouse Consulting Engineer,  
In Connection with MM Docket 93-142

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7. The Loma Prieta peak is within the Sargent fault zone (See Attachments B and C of my July 14, 1993 declaration). According to Attachment D and Reference 3 of my July 14, 1993 declaration, the Sargent fault is designated as a Holocene fault, which means that it has shown evidence of movement within the last 10,000 years. Alternative sites A, B, C, and D are in close proximity to the Soda Springs fault which is designated as a Pre-Quaternary fault (i.e., a fault showing evidence of no displacement during approximately the last 2 million years or a fault without recognized displacement in this time period). Alternative site E is approximately 1 km from the Berrocal fault zone, which has shown evidence of movement during the last 2 million years. Although the Sargent fault appears to have moved more recently than the Soda Springs or Berrocal faults, the



Statement of C. B. Crouse Consulting Engineer,  
In Connection with MM Docket 93-142

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#### REFERENCES

1. Manson, M.W. et al, 1992, Landslides and other Geologic Features in the Santa Cruz Mountains, California, resulting from the Loma Prieta Earthquake of October 17, 1989: California Department of Conservation, DMG Open-File Report 91-05.

CERTIFICATE OF SERVICE

I, Joel Rosenbloom, hereby certify that on this 3rd day of August, 1993, I caused copies of the foregoing "Reply Comments of UTV of San Francisco, Inc. and KGO Television, Inc." to be mailed, United States first class postage prepaid, to the following:

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