

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Advanced Television Systems) MM Docket No. 87-268
and Their Impact Upon the)
Existing Television Broadcast)
Service)

To: The Commission

**REPLY COMMENTS OF
BROOKE D. WILLIAMS AND
J. DOUGLAS WILLIAMS**

Brooke D. Williams and J. Douglas Williams ("Williams"), a general partnership which has filed an application to construct and operate a new television station on Channel 35 at Woodward, Oklahoma, by their attorney, hereby submits reply comments in the above-referenced proceeding.^{1/}

1. Williams filed its application for Channel 35 at Woodward, Oklahoma on December 12, 1996. Although the Williams application has not yet appeared on a Public Notice, it was entered into the Commission's BAPs database on January 31, 1997 and assigned a file number, BPCT-961212KI. To the best of Williams' knowledge, based on a review of existing Commission's records by a paralegal at Fisher Wayland Cooper Leader & Zaragoza, L.L.P., there are no other pending applications for Channel 35 at Woodward.

^{1/} Williams is simultaneously filing a motion for leave to file these Reply Comments.

2. One of Williams' general partners initiated the Petition for Rule Making which led to the allotment of Channel 35. (See Notice of Proposed Rule Making, DA 96-110, released March 12, 1996 in MM Docket No. 96-44.) As set forth in the Petition for Rule Making, the allotment of Channel 35 to Woodward serves substantial public interest benefits.

3. Woodward is an incorporated community of 12,340 residents, and is the county seat of Woodward County, which has a total population of 18,796, according to the 1990 U.S. Census. Woodward has its own government, which includes a city manager and city commissioners. The Woodward city government collects its own property and sales taxes. Woodward has 16 full-time fire personnel, 18 volunteer fire personnel, and 21 full-time police officers. Woodward has its own garbage collection system, water treatment system, and school system, with ten primary and secondary schools. Northwestern Oklahoma State University at Woodward and High Plains Area Vo-Tech provide higher education resources for the community. Woodward has 155 retail establishments, 75 wholesale business, numerous manufacturing plants, five banking institutions, as well as a noncommercial airport, seven motels, six medical clinics, a large hospital, a physical therapy clinic, the Woodward County Health Center, two home health agencies, two skilled nursing facilities, and a specialized ambulatory care facility. There are 25 churches located in Woodward. In addition, Woodward has one daily newspaper and one weekly newspaper. Situated at the intersection of U.S. 270 and U.S. 412, Woodward is considered the "hub" of the northwest Oklahoma trade area, which encompasses nine counties with a total population of approximately 74,000 residents.

4. Williams urges the Commission to make a DTV channel available to Woodward. As demonstrated above, Woodward is a small town in a rural area where spectrum

congestion is not a problem. Because it is in the public interest to provide service to these smaller communities both now and in the digital future, and because encouraging such local service is an important part of the Commission's mandate under Section 307(b) of the Communications Act, Williams urges the Commission to provide a paired DTV channel to Woodward.^{2/} This will not only ensure continued service to the community after the transition to digital television is complete, but will also eliminate the possibility that the Woodward Channel 35 allotment would end up as a substandard facility, unable to compete with DTV broadcasters. It is only fair to permit the award of a DTV channel since the Commission proceeded to allot Channel 35 based on a strong public interest showing and since Williams is the only applicant for the channel. Because the Commission has now imposed a freeze on the filing of any such NTSC applications in the future, and has proposed to eliminate vacant NTSC allotments, the disruption caused by such a policy would be minimal and the public benefits great.

In sum, for the reasons set forth herein, Williams urges the Commission to award a paired DTV channel to Woodward, Oklahoma in order to ensure increased television broadcast service to the public both during and after the transition to DTV.

Respectfully submitted,

BROOKE D. WILLIAMS
AND J. DOUGLAS WILLIAMS

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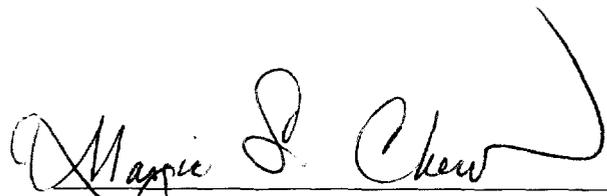
^{2/} Williams notes that Univision Communications, Inc. filed Comments on November 22, 1996 in this proceeding advancing the same argument at pp. 5-6.

CERTIFICATE OF SERVICE

I, Margie Sutton Chew, a secretary in the law firm of Fisher Wayland Cooper Leader & Zaragoza L.L.P., do hereby certify that true copies of the foregoing **“REPLY COMMENTS OF BROOKE D. WILLIAMS AND J. DOUGLAS WILLIAMS”** were sent this 10th day of February, 1997, via hand delivery, to the following:

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