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June 13, 1997

VIA HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W. Room 222
Washington, D.C. 20554

Re: MM Docket No. 87-268

Dear Mr. Caton

Transmitted herewith, on behalf of Louisiana Television Broadcasting Corporation, licensee of Television Broadcast Station WBRZ, Baton Rouge, LA, are an original and four copies of its Petition For Reconsideration of the Sixth Report and Order in the above-referenced matter.

Very truly yours

Stanley S. Neustadt

Enclosures

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Federal Communications Commission
Office of Secretary

BEFORE THE

Federal Communications Commission

In the Matter of)
)
Advanced Television Systems)
and Their Impact upon the)
Existing Television Broadcast)
Service)

MM Docket No. 87-268

PETITION FOR RECONSIDERATION OF SIXTH REPORT AND ORDER

Louisiana Television Broadcasting Corporation ("WBRZ"), licensee of Television Broadcast Station WBRZ, Baton Rouge, LA, by its attorneys, pursuant to Section 1.429 of the Commission's Rules, respectfully requests that the time for interested parties to seek reconsideration of the DTV Table of Allotments adopted in the Sixth Report and Order in the above-captioned proceeding ("Sixth Report") be postponed until sixty days after the Commission publishes OET Bulletin No. 69, in order that meaningful reconsideration of the allotments can be had. In support of its position, WBRZ states:

1. Attached hereto is the Technical Statement of Louis R. du Treil, Sr., the consulting engineer for WBRZ. It sets forth the present facilities of WBRZ and the proposed DTV allotment for that station. It also establishes not only that its proposed DTV Channel 42 may not be the most desirable channel for the proposed DTV operation, but that other channels may be available which would much better serve the public interest and the allotment of which would not have any "ripple" effect on the remainder of the DTV allotments. If such a result could be achieved, surely the public

and WBRZ would benefit, and none of the other objectives of the Table of Allotments would be jeopardized.

2. Normally, the time for seeking reconsideration of rule making determinations provided in the Commission's Rules is adequate for the presentation to the Commission of the pertinent considerations. In this case, however, that is not the case, because key information is completely within the control of the Commission and has not yet been released for use by interested parties. As the attached Technical Statement establishes, highly preferable channels with no "ripple" effect appear to be available, but proof of that belief requires the data contained in OET Bulletin No. 69--or, indeed, disproof. If OET Bulletin No. 69 were available at this time, and if it established as WBRZ hopes it will, the desirability of another allotment, this petition would be seeking that reallocation. If it did not, no petition would be filed. The period provided in the Rules for seeking reconsideration is adequate when the interested parties are in possession of, or can obtain, all of the information needed for reconsideration. It is not when the Commission has, but does not make available key information.

Respectfully submitted

LOUISIANA TELEVISION
BROADCASTING CORPORATION

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June 13, 1997

Its Attorneys

TECHNICAL STATEMENT
LOUISIANA TELEVISION BROADCASTING CORPORATION
STATION WBRZ
BATON ROUGE, LOUISIANA

This statement was prepared on behalf of Louisiana Television Broadcasting Corporation, licensee of television broadcast station WBRZ Baton Rouge, Louisiana, in support of a petition for reconsideration of the Federal Communications Commission action in MM Docket No. 87-268, *In the Matter of Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service, Sixth Report and Order*, herein "Sixth Report".

Station WBRZ operates on channel 2, employing an effective radiated power of 100 kilowatts with antenna height above average terrain of 515 meters. Station WBRZ was assigned DTV channel 42 in the Sixth Report. Based on study of the allocation situation, it is possible that alternate channels are available which better suit the operation of WBRZ.

Alternate channels believed to be available for WBRZ include channels 7, 13, 19, 21, 25 and others in the UHF band, most of which are outside of the "core" spectrum. Of this group, channel 13 offers the best possibility for adequate coverage of the Baton Rouge DMA and protection of other stations from interference. Use of channel 13 by WBRZ will dictate a directional transmitting antenna, the

design of which is not currently possible due to the lack of the proper allocation tools, i.e., OET Bulletin No. 69. A directional antenna is needed to protect KLTM-TV Monroe, LA (NTSC Channel 13), WLOX-TV Biloxi, MS (NTSC Channel 13) and WYES-TV New Orleans, LA (NTSC Channel 12). Based on many years of allocation experience, we believe it is possible to design a proper directional antenna that will achieve coverage of the Baton Rouge DMA while protecting pertinent stations. Use of channel 13, or any other channel by WBRZ, will not result in reallocation of other channels, thereby avoiding a ripple effect in channel allotments.

It is therefore requested that Louisiana Television Broadcasting Corporation be given the opportunity to request a replacement DTV channel, such as channel 13, after study of all factors pertaining to assignment of a DTV channel to WBRZ.



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June 11, 1997