

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

MM Dkt. No. 87-268

COMMENTS OF LAREDO COMMUNITY COLLEGE

Laredo Community College, an applicant for Channel *39 at Laredo, Texas, objects to the failure of the improved DTV Table of Assignments filed ex parte by the Association for Maximum Service Television, the National Association of Broadcasters, and other broadcasters on November 20, 1997, to accommodate an educational television station in Laredo.

The proposed table fails to reflect the original intention of reserving channels for educational purposes. Because of the heavy Hispanic population on both sides of the border, there is an urgent need for educational television service in the market.

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Accordingly, for the reasons set forth in the College's comments in this docket on November 22, 1996, the improved table submitted by the broadcasters should be modified to continue the educational reservation at Laredo.

Respectfully submitted,
MILLER & VAN EATON, P.L.L.C.

By: 
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December 17, 1997

Attachment

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NOV 22 1996

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OFFICE OF SECRETARY

In the Matter of)
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ADVANCED TELEVISION SYSTEMS) MM Docket No. 87-268
AND THEIR IMPACT UPON THE)
EXISTING TELEVISION BROADCAST SERVICE)

COMMENTS OF LAREDO COMMUNITY COLLEGE

Laredo Community College herewith files its comments in response to the Commission's "Sixth Further Notice of Proposed Rulemaking" herein, as an applicant for a construction permit for Channel *39 in Laredo, Texas.

In the Notice, the Commission recognizes that its "spectrum planning with respect to the broadcast industry has traditionally taken into account the important role noncommercial stations play in providing educational and other quality programming and the financial constraints they face." Sixth Further Notice, at ¶ 59.

It follows that the DTV table should contain all the noncommercial broadcast (or "asterisk") channels for which applications were filed with the FCC by the cut-off date. This would protect noncommercial channels from potential costly and time-consuming struggles once the DTV allotments have passed the initial phase.

Adding these channels to the table also fits within the traditional treatment that noncommercial stations have received in the past. The Table of Allotments in Section 73.606 of the Rules, from its inception, has accorded favored treatment to noncommercial

channels by reserving them for educational use. These reservations give the most assurance that the Commission has the power to give that the educational programming needs of the communities will be met at the earliest practicable time.

The practice of reserving channels is to hold them available for educational use, even at the cost of denying applications for non-educational use. Thus, for the Commission now to turn its back on the original reservation for future educational need by failing to continue the reservation -- particularly where there is an applicant ready, willing and able to serve the educational needs of the community, would fly in the face of the public interest in educational broadcasting that the Congress has repeatedly recognized in the Communications Act and particularly in its annual appropriations for grants for educational broadcasting facilities under Part IV (A), Section 390 - 393A of the Act.

Conclusion

The Commission should reflect Congressional policies and the public interest in the DTV table by accommodating ETV licensees, permittees, and applicants, who have met the Commission's cut-off date for applications, for asterisked channels in the DTV table.

Respectfully submitted,
Miller, Canfield, Paddock and Stone, P.L.C.

By


Maria de Fatima Silveira

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Certificate of Service

I hereby certify that I have caused to be mailed this day copies of the foregoing
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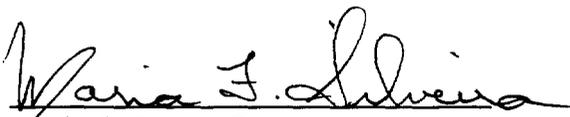
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