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July 10, 1999

The Federal Communication Commission
1919 M Street N. W.
Washington, D.C. 20554

NOTICE OF PROPOSED RULE MAKING DA 99-963

Comments are due in Monday July 12, 1999.

A letter on July 9, 1999 by KBYU-TV, one of the applicants for the rule making and a member of the Utah DTV Alliance to KEJT-LP, denies the Local Allocation Committee finding on channel allocations for LPTV and Translator stations.

KTLE-LP, Ogden asks that the Commission extend for 30 days time for comments to the proposed rule making in light of the surprising action by KBYU-TV.

If an extension of time is not available, this is a motion to deny the application for rule making submitted by the Utah DTV alliance group.

They do not follow the Utah Plan for Translators and LPTV stations in actual practice, a promise made in the application for alternate DTV channels. KBYU refuses to move their translator from channel 50 to channel 52 as noted in the plan, without special considerations which negate the principal of the plan. If all parties have accepted the plan then KBYU-TV should show why their translator K50EJ is to be treated differently from the other 130 plus translators in the plan. Special Treatment for K50EJ is to the detriment of KEJT-LP, the only Hispanic Station licensed to Salt Lake City serving approximately 80,000 Hispanics, and KBYU-TV is aware of that fact. With the principal of preserving translators and LPTV's not clear, the Commission should deny the proposed rule making and retain the present adjacent channel allocation.

Sincerely,



John C. Terrill
President
AirWaves, Inc. KTLE-LP, Ogden

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