

BROOKS, PIERCE, McLENDON, HUMPHREY & LEONARD, L.L.P.

ATTORNEYS AT LAW

RALEIGH, NORTH CAROLINA

MAILING ADDRESS
POST OFFICE BOX 1800
RALEIGH, N.C. 27602

OFFICE ADDRESS
SUITE 1600
FIRST UNION CAPITOL CENTER
150 FAYETTEVILLE STREET MALL
RALEIGH, N.C. 27601

TELEPHONE 919-839-0300
FACSIMILE 919-839-0304

L.P. McLENDON, JR.
HUBERT HUMPHREY
EDGAR B. FISHER, JR.
W. ERWIN FULLER, JR.
JAMES T. WILLIAMS, JR.
WADE H. HARGROVE
M. DANIEL MCGINN
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230 NORTH ELM STREET
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WASHINGTON OFFICE
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WASHINGTON, D.C. 20036

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W., TWA325
Washington, D.C. 20554

**Re: Petition for Rule Making
Station KMBC-DT, Kansas City, Missouri**

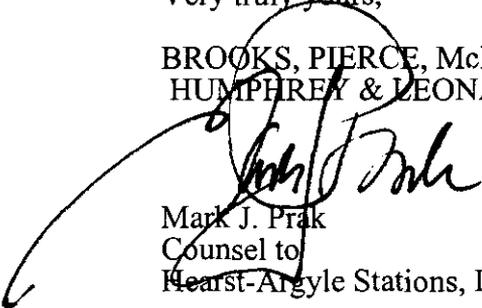
Dear Ms. Salas:

Transmitted herewith, on behalf of Heart-Argyle Stations, Inc., licensee of Television Station KMBC(TV), Kansas City, Missouri, and permittee of Digital Television Station KMBC-DT, are an original and four copies of a Petition for Rule Making requesting amendment of the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules.

If any questions should arise during the course of your consideration of this matter, it is respectfully requested that you communicate with this office.

Very truly yours,

BROOKS, PIERCE, McLENDON,
HUMPHREY & LEONARD, L.L.P.


Mark J. Prak
Counsel to
Hearst-Argyle Stations, Inc.

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

In the Matter of)
)
Amendment of Section 73.622(b))
DTV Table of Allotments)
Television Broadcast Stations)

MM Docket No. _____
RM- _____

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

PETITION FOR RULE MAKING

KMBC Hearst-Argyle Television, Inc. ("Petitioner"), licensee of Television Station KMBC(TV), Kansas City, Missouri, by its attorneys, hereby petitions the Commission, pursuant to Section 1.401 of the Commission's Rules, to amend the Commission's DTV Table of Television Allotments (Section 73.622(b) of the Commission's Rules) by amending petitioner's DTV channel allotment from Channel 14 to Channel 7. In support hereof, Petitioner states as follows:

1. Petitioner has been authorized to construct DTV television station KMBC-DT, Kansas City, Missouri. Petitioner is currently authorized to operate on DTV Channel 14.
2. Pursuant to Section 73.622(a) of the Commission's Rules, Petitioner hereby respectfully requests the Commission to amend the DTV Table of Allotments by changing KMBC-DT's channel allotment from Channel 14 to Channel 7.
3. Requests to amend the DTV Table of Allotments by changing the channel of an allotment in the DTV table are evaluated for technical acceptability using the engineering criteria set forth in Section 73.623(c) of the Commission's rules. Attached hereto and incorporated by

reference is an Engineering Statement, prepared by Bernard R. Segal, P.E., which demonstrates compliance with Section 73.623(c) as follows:

a. Petitioner proposes to operate from the same location as the existing NTSC station KMBC(TV). Segal Statement, p. 1.

b. The Petition complies with the principal community coverage requirements of Section 73.625(a). (*See* Section 73.623(c)(1)). Segal Statement, p. 2.

c. The Petition will not result in more than an additional 2 percent (2%) of the population served by another station being subject to interference. In addition, no new interference will be caused to any station that already experiences interference to 10 percent or more of its population or that would result in a station receiving interference in excess of 10 percent of its population. (*See* Section 73.623(c)(2)).

4. The public interest would be served by avoiding the use of DTV Channel 14 in Kansas City because over 200 land mobile facilities are licensed for operation within 80 km (50 miles) of the KMBC(TV) tower site. Hearst-Argyle's engineers believe that, given that some of these facilities are used for rescue, ambulance and other life-saving and emergency purposes, the public interest would be better served by KMBC-DT's operation on Channel 7 rather than Channel 14. Segal Statement, pp. 4-5.

CONCLUSION

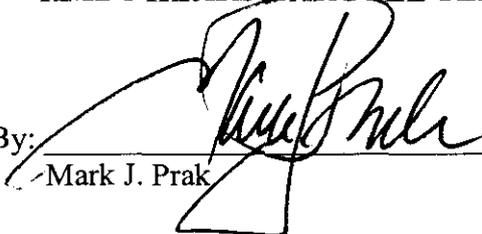
For the foregoing reasons, Petitioner respectfully requests that the Commission grant the instant Petition and amend the DTV Table of Allotments (Section 73.622(b) of the Commission's Rules) to authorize KMBC-DT to operate on Channel 7 and to amend Petitioner's DTV construction permit to reflect the amended allotment.

Dated: September 10, 1999

Respectfully submitted,

KMBC HEARST-ARGYLE TELEVISION, INC.

By: _____


Mark J. Prak

**BROOKS, PIERCE, McLENDON, HUMPHREY
& LEONARD, L.L.P.**

Post Office Box 1800
Raleigh, North Carolina 27602
(919) 839-0300

Its Attorneys

Bernard R. Segal, P.E.
Consulting Engineer
Washington, DC

**ENGINEERING STATEMENT
PREPARED ON BEHALF OF
HEARST-ARGYLE STATIONS, INC.
STATION KMBC-DT
KANSAS CITY, MISSOURI**

The instant Engineering Statement has been prepared on behalf of Hearst-Argyle Stations, Inc. (hereafter, Hearst-Argyle), licensee of station KMBC-TV, Kansas City, Missouri. Engineering support is provided for a petition to amend the DTV Table of Allotments, Section 73.622(b) of the Rules. The FCC allotted Ch. 14 for transitional DTV use for KMBC-TV. The instant Engineering Statement provides support to amend the allotment to Ch. 7.

The proposed Ch. 7 DTV allotment is for operation from the same location as for the currently licensed operation for KMBC-TV. The site coordinates are: 39° 05' 01" North Latitude; 94° 30' 57" West Longitude. A directional antenna will be employed with maximum average effective radiated power of 115 kW. The antenna radiation center height above average terrain will be 357 meters. The power/height combination is the maximum permitted for a high band VHF DTV station in Zone II. The permissible power was determined by interpolation from the table in Section 73.622(f)(7)(i).

The particulars for the directional antenna which is to be employed are provided in Figures 1 and 2. Figure 1 is the azimuth pattern for the antenna. Figure 2 is a tabulation of relative field and effective radiated power data for the antenna.

In compliance with the requirements of Section 73.623(c), studies are provided which demonstrate that the proposed change in the allotment table will permit a facility that satisfies the coverage and allocation criteria of the recited rule.

Figure 3 is a map demonstrating the extent of coverage of the 36 dBu, F(50,90) contour for the proposed allotment. Figure 4 is a tabulation of terrain elevation data and distances to the 36 dBu, F(50,90) contour used in the preparation of the map of Figure 3. Figure 3 demonstrates that the entire community of Kansas City would be encompassed. The proposal, therefore, complies with the principal community coverage requirement of Section 73.625(a).

As to allocation concerns, the study provided herein as Figure 5 demonstrates that no NTSC station would receive interference from the proposed KMBC-DT, Ch. 7, facility affecting population in excess of the "de minimis" 2% allowable level. The cumulative interference, where the proposed KMBC-DT facility would cause interference to any NTSC station, will not exceed the maximum allowable of 10%. There are no DTV allotment concerns.

The study of Figure 5 was performed using an FCC matched computer analysis taking into account both NTSC and DTV allocation factors. A computer using an ALPHA processor was employed in conjunction with the FCC's FLR software. For each station studied, the reference information from Appendix B of the *Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order* in MM Docket Number 87-268 is listed in Figure 5 for comparison with the results obtained independently using the ALPHA processor with the FCC's FLR software. The independently determined calculation results are in good agreement with the FCC's Appendix B results.

Two studies were performed. The first study took into account the current Appendix B allotment facilities that provided a reference for comparison with the results of the second study which included the effect of the proposed new Ch. 7 DTV allotment for paired use with KMBC-TV. In no instance will the FCC allowable 2% de minimis interference level be exceeded toward any NTSC station, and in no instance when the proposed KMBC-DT facility would cause interference, would the maximum cumulative 10% allowable interference limit be exceeded to any NTSC station. The proposed allotment satisfies all FCC criteria.

The search for an alternate channel to Ch. 14 for KMBC-DT use was prompted by the discovery that over 200 land mobile facilities are licensed for operation within 80 km (50 miles) of the KMBC-TV tower site in the 3 MHz band immediately adjacent to the lower edge of Ch. 14. Some of the facilities are licensed to entities whose activities could involve safety to life. An analysis, taking into account the FCC emission mask, suggested that even with compliance with the out-of-band suppression criteria, KMBC-DT emission levels within the critical 3 MHz region below the Ch. 14 band edge had the potential for adversely impacting on some of the land mobile facilities. The proposed

allotment of Ch. 7 would eliminate any potential for harm to a land mobile licensee.

It is Hearst-Argyle's intent to return to Ch. 9 for DTV operation after the transition. Thus, all equipment expenditures for UHF Ch. 14 (or any other UHF channel) for the transition, would be for short term use. With Ch. 7 being so close to Ch. 9, relatively minor modifications would be needed to the antenna and transmitter which would permit them to be used on Ch. 9 for backup purposes. Alternatively, the Ch. 7 operation could become the permanent DTV operation and the existing Ch. 9 equipment could be converted for backup DTV use.

On balance, both the public interest and the Hearst-Argyle private interest would be better served with KMBC-DT operation on Ch. 7 than on Ch. 14.

Bernard R. Segal, P.E.
Consulting Engineer
Washington, DC

Engineering Statement
Hearst-Argyle Stations, Inc., Station KMBC-DT
Kansas City, Missouri

Page 6

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 3, 1999.

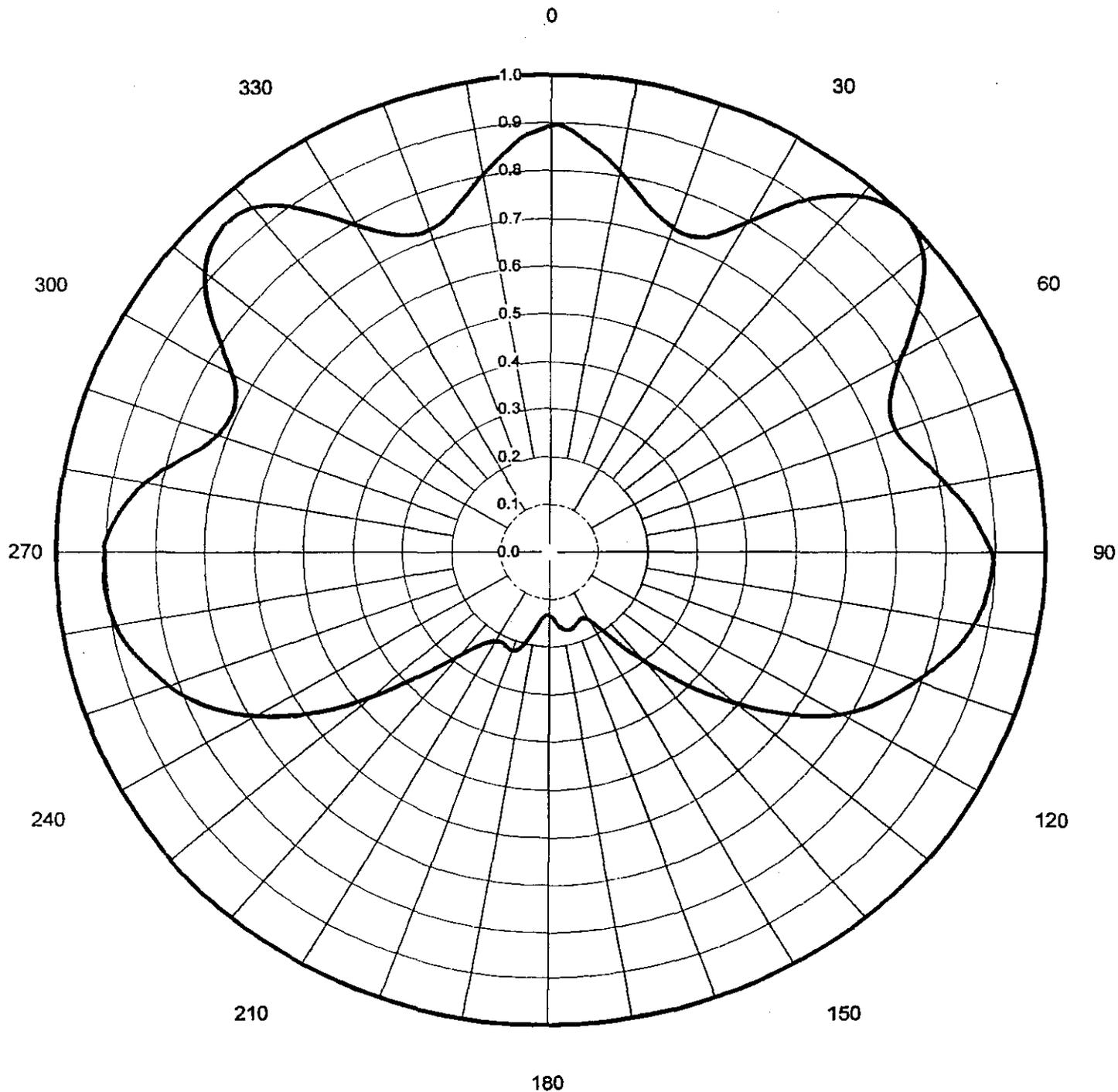


Bernard R. Segal, P.E.

Proposal Number	TBD		
Date	2-Aug-99		
Call Letters	KMBC-DT	Channel	7
Location	Kansas City, MO		
Customer			
Antenna Type	THP-SP4-4S-1		

AZIMUTH PATTERN

Gain	2.00	(3.01 dB)	Frequency	177.00 MHz
Calculated / Measured		Calculated	Drawing #	THP-SP4-7



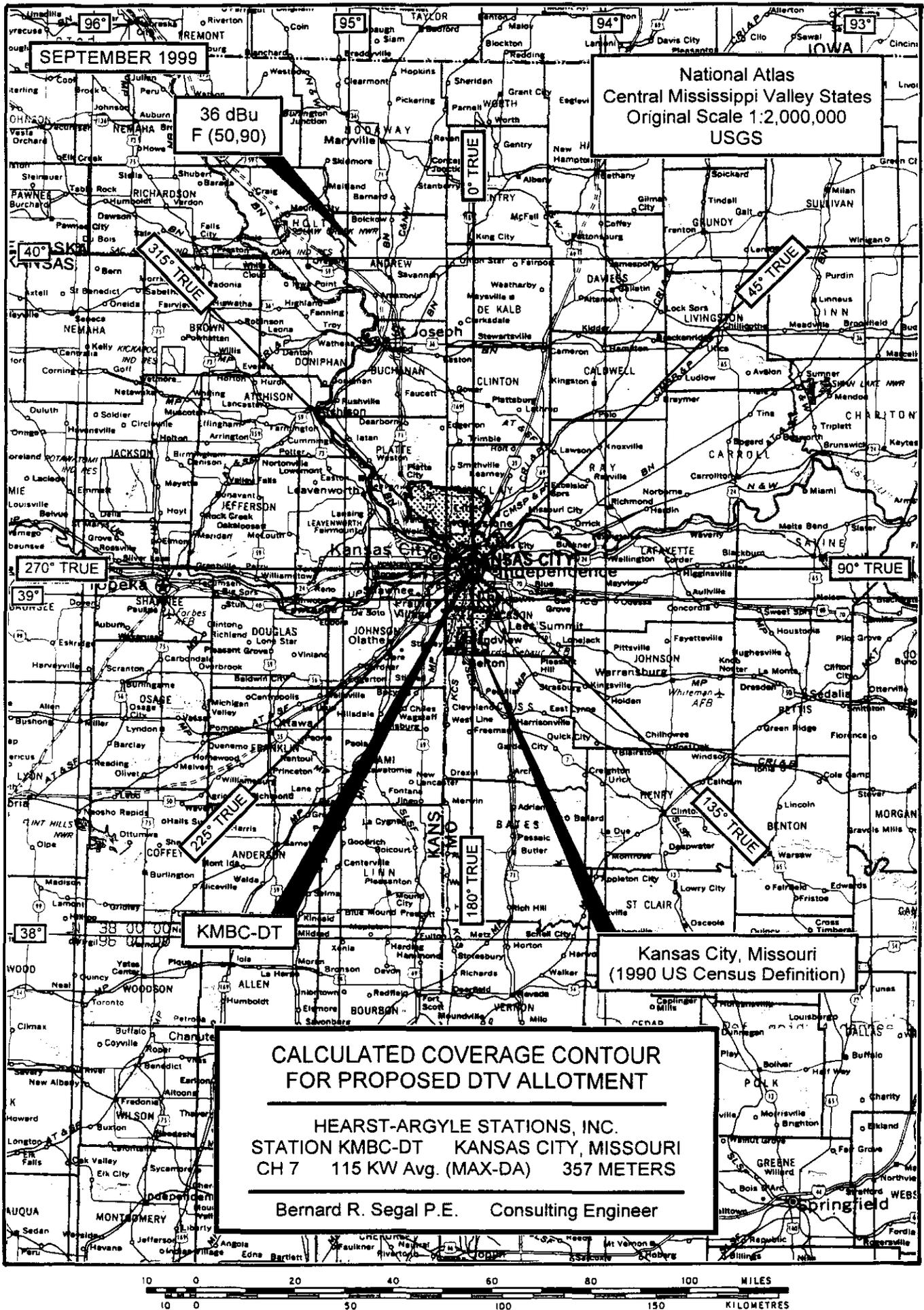
**ENGINEERING STATEMENT
PREPARED ON BEHALF OF
HEARST-ARGYLE STATIONS, INC.
STATION KMBC-DT
KANSAS CITY, MISSOURI**

Antenna Azimuth Radiation Pattern Data

<u>Azimuth</u> (deg. T)	<u>Relative</u> <u>Field</u>	<u>Effective</u> <u>Radiated</u> <u>Power</u> (dBk)	<u>Azimuth</u> (deg. T)	<u>Relative</u> <u>Field</u>	<u>Effective</u> <u>Radiated</u> <u>Power</u> (dBk)
0	0.892	91.5	170	0.164	3.09
1*	0.896	92.3	180	0.135	2.10
10	0.810	75.5	181**	0.134	2.06
20	0.723	60.1	190	0.168	3.25
22**	0.720	59.6	200*	0.221	5.62
30	0.797	73.1	207**	0.214	5.27
40	0.971	108	210	0.218	5.47
45*	1.00	115	220	0.287	9.47
50	0.979	110	230	0.477	26.2
60	0.819	77.1	240	0.690	54.8
69**	0.742	63.3	250	0.820	77.3
70	0.743	63.5	260	0.892	91.5
80	0.814	76.2	266*	0.905	94.2
90	0.893	91.7	270	0.902	93.6
91*	0.896	92.3	280	0.833	79.8
100	0.871	87.2	290	0.717	59.1
110	0.791	72.0	294**	0.708	57.7
120	0.683	53.7	300	0.746	64.0
130	0.497	28.4	310	0.914	96.1
140	0.300	10.4	317*	0.955	105
150	0.166	3.17	320	0.943	102
154**	0.155	2.76	330	0.793	72.3
160	0.163	3.06	340**	0.719	59.5
165*	0.169	3.28	350	0.801	73.8

* Local maximum.

** Local minimum.



**ENGINEERING STATEMENT
PREPARED ON BEHALF OF
HEARST-ARGYLE STATIONS, INC.
STATION KMBC-DT
KANSAS CITY, MISSOURI**

Tabulation of Average Elevations and
Distances to the DTV Coverage Contour

Site Coordinates: 39° 05' 01" North Latitude
94° 30' 57" West Longitude

Radiation Center: 613 mAMSL

<u>Azimuth</u>	<u>3.2-16.1 km Terrain Avg. (mAMSL)</u>	<u>Rad. Center Above Terrain Avg. (m)</u>	<u>ERP (kW)</u>	<u>Distance to 36 dBu F(50,90) Contour (km)</u>
0	245	368	91.5	116.3
15	238	375	65.2	114.0
30	223	390	73.1	116.1
45	219	394	115	120.9
60	267	346	77.1	113.0
75	285	328	68.1	110.5
90	276	337	91.7	113.9
105	278	335	80.6	112.6
120	282	331	53.7	100.5
135	281	332	18.1	99.3
150	275	338	3.17	86.3
165	283	330	3.28	85.6
180	264	349	2.10	83.9
195	253	360	4.83	90.7
210	281	332	5.47	90.1
225	290	323	15.6	97.7
240	294	319	54.8	107.7
255	282	331	85.5	112.9
270	241	372	93.6	116.8
285	262	352	65.4	112.5
300	253	360	64.0	112.3
315	235	378	104	118.4
330	254	359	72.3	113.4
345	<u>263</u>	<u>350</u>	64.3	111.7
Average*	256	357		

* The average is for the eight standard radials only.

**ENGINEERING STATEMENT
PREPARED ON BEHALF OF
HEARST-ARGYLE STATIONS, INC.
STATION KMBC-DT
KANSAS CITY, MISSOURI**

NTSC Allocation Study for Proposed KMBC-DT Allotment
Ch. 7, 115 kW Avg. (MAX-DA), 357 m
NAD 1927 Site Coordinates: 39° 05' 01" North Latitude; 94° 30' 57" West Longitude
Antenna Radiation Center: 613 mAMSL

Ch. Relation- ship*	Potentially Affected NTSC Station	Appendix B Data ¹		Independent Calculations						
		Current Svc. Pop. (Thous.)	Allotted DTV Interf. (%)	Current Svc. Pop.	Ref. Terrain Limited Grade B Pop.	Allotted DTV Interf.		New Interf. from prop. KMBC-DT		Cumul- ative DTV Interf.
						(Thous.)	(%)	(Thous.)	(%)	(%)
n-0	KOAM-TV, Pittsburg, KS Ch. 7, 316 kW, 332 m	475	0.0	472	480	0	0.0	6	1.3	1.3
	KHQA, Hannibal, MO Ch. 7, 316 kW, 271 m	291	0.0	291	315	0	0.0	5	1.6	1.6
	KETV, Omaha, NE Ch. 7, 316 kW, 415 m	991	0.0	998	1,078	0	0.0	13	1.2	1.2
n+1	KOMU-TV, Columbia, MO Ch. 8, 316 kW, 242 m	413	0.0	414	430	0	0.0	0	0.0	0.0

*Note: n = Ch. 7

¹ From Appendix B of the Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders in MM Docket. No. 87-268.