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October 27, 1999

VIA COURIER

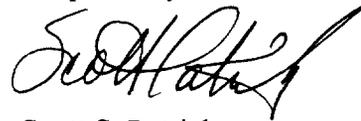
Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Dear Ms. Salas:

On behalf of Paxson Salem License, Inc., licensee of KPXG(TV), Salem, Oregon, there are transmitted herewith an original and five copies of its *Petition for Rule Making* proposing a substitution of channel 4 for channel 20 as the station's paired DTV allocation.

If any additional information is needed in connection with this matter, please contact me.

Respectfully submitted,



Scott S. Patrick

Enclosure

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MMB

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

FILED

OCT 27 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.622(b)) MM Docket No. _____
Table of Allotments,) RM- _____
Digital Television Broadcast Stations)
(Salem, Oregon))
)

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

**PETITION FOR RULE MAKING
TO AMEND THE DTV TABLE OF ALLOTMENTS**

Paxson Salem License, Inc. ("Paxson"), licensee of KPXG(TV), Salem, Oregon, by its attorneys and pursuant to Sections 1.401 and 73.622(a) of the Commission's Rules (47 C.F.R. §§1.401 and 73.622(a)), hereby respectfully petitions the Commission to institute a rulemaking to amend Section 73.622(b), the DTV Table of Allotments, by substituting channel 4 as the station's paired DTV allocation for the transition period in lieu of channel 20, as originally allotted. As set forth in greater detail in the attached Technical Exhibit, the proposed substitution would permit Paxson to locate the antenna site for KPXG-DT closer to other broadcast stations serving the Portland, Oregon DMA and thereby eliminate problems with receiving antenna orientation. The requested amendment to the DTV Table of Allotments satisfies Commission rules and would permit Paxson to provide improved over-the-air DTV service within its market.

The reference point for the station's DTV allotment is the site of its current analog facilities – located some thirty-six miles south of nearly all other television broadcast stations

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serving the Portland, Oregon DMA. Given that the receiver orientation problems typically associated with these circumstances very likely will be compounded by those difficulties reported for over-the-air DTV reception, Paxson wishes to relocate KPXG-DT's facilities closer to those of other broadcasters in the DMA. Specifically, Paxson proposes facilities co-located with KOIN-TV (45-30-58N; 122-43-59W).¹ The station's relocation, however, would preclude the use of its allotted DTV channel 20 due to interference predicted to the station's analog facilities as well as to KCKA-DT, channel 19 (Centralia, Washington). To avoid such interference, Paxson accordingly has identified channel 4 as a permissible substitute for KPXG's DTV allotment at the relocated site. The channel and location change for KPXG-DT would improve DTV service for viewers in the Portland, Oregon DMA and would reduce the station's competitive disadvantage resulting from receiver orientation problems. The public interest would be served by the more efficient use of the broadcast spectrum.

As demonstrated in the Technical Exhibit, KPXG-DT's proposed service area encompasses the community of license as required,² and the proposed amendment conforms with the Commission's *de minimis* interference standard.³ Likewise, because channel 3 remains vacant in the market, the proposed use of channel 4 would not violate the Commission's policy

¹ The only other station in the Portland, Oregon DMA not located with the Portland market stations, KWBP (Salem, Oregon) has filed an application that similarly seeks to locate its DTV facilities at the KOIN site (FCC File No. BPCDT-981007KE).

² 47 C.F.R. §73.623(c)(1).

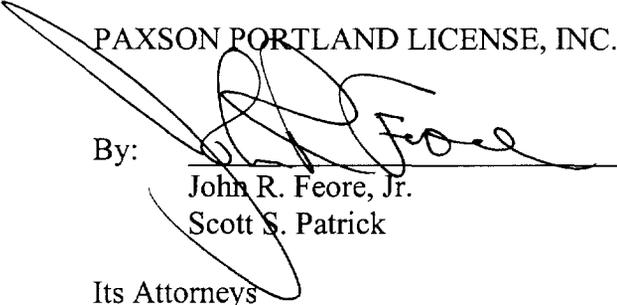
³ 47 C.F.R. §73.623(c)(2).

of ensuring that either channel 3 or 4 is available for cable system operation in the community.⁴
The proposed amendment would result in no net loss of LPTV stations.⁵

WHEREFORE, for the foregoing reasons, Paxson respectfully requests that the Commission initiate a rule making proceeding to amend Section 73.622(b) of its Rules to substitute channel 4 for channel 20 for use by KPXG-DT at the specified reference point in Salem, Oregon. The amendment would serve the public interest because the changes proposed herein will enable KPXG-DT to provide better coverage to its service area, resulting in a more efficient use of the broadcast spectrum.

Respectfully Submitted,

PAXSON PORTLAND LICENSE, INC.

By: 

John R. Feore, Jr.
Scott S. Patrick

Its Attorneys

Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036-6802
202-776-2000

Dated: October 27, 1999

⁴ Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, *Sixth Report and Order*, MM Docket No. 87-268, 12 FCC Rcd 14588, at ¶151 (1997).

⁵ The current allotment on channel 20 would displace at least one LPTV station, as would the proposed operation on channel 4.

ATTACHMENT

Technical Exhibit

TECHNICAL EXHIBIT
SUPPORTING A PETITION FOR RULE MAKING
FOR A NEW DTV ALLOTMENT CHANNEL FOR
STATION KPXG-DT
SALEM, OREGON

CH 4 17 KW 455 M

Technical Narrative

This Technical Exhibit supports a petition for rule making (PRM) from television (TV) station KPXG on NTSC (analog) channel 22 at Salem, Oregon. The petition requests the substitution of channel 4 for channel 20 for KPXG's digital television (DTV) transition operation at Salem.

The Federal Communications Commission (FCC) assigned channel 20 as KPXG's DTV allotment in the Memorandum, Opinion and Order (MO&O) concerning reconsideration of the 6th Report and Order in MM Docket No. 87-268. The reference point for the channel 20 DTV allotment is KPXG's current site for its analog channel 22. The FCC assigned an effective radiated power (ERP) of 54.6 kilowatts (kW) and an antenna height above average terrain (HAAT) of 363 meters to the DTV allotment.

Station KPXG is located in the Portland, Oregon Designated Market Area (DMA). The current site is approximately 57 kilometers (36 miles) south of Portland and the transmitter sites of nearly all the other TV stations serving the Portland market. Only stations KPXG and KWBP (analog channel 32, Salem, OR) are removed from the other Portland market stations. In order to better serve the market and eliminate problems with receiving antenna orientation, station KPXG proposes to locate its DTV operation on a tower at the KOIN site (analog channel 6, Portland, OR). Station KWBP, the other Salem TV

station, has also filed an application (BPCDT-981007KE) to locate its DTV operation at the KOIN site. Figure 1 is a portion of the local topographic map showing the KOIN site (proposed site for KPXG channel 4 DTV operation).

Unfortunately, KPXG's use of DTV channel 20 at the KOIN site results in significant calculated interference being caused to KPXG's analog operation on channel 22 at Salem. Furthermore, station KCKA on DTV channel 19 at Centralia, Washington is an interference concern. In order to alleviate these interference problems for KPXG's DTV operation at the KOIN site, station KPXG proposes to change its DTV allotment from channel 20 to channel 4.

The petitioner recognizes the potential concern for use of channel 4 with respect to cable TV boxes and videocassette recorders (VCRs). The output signal from these devices is typically switchable for either channel 3 or 4. The FCC in its 6th Report & Order in MM Docket 87-268 (paragraphs 148-151), pointed out that channels 3 and 4 should not both be allotted in the same market. The closest TV station operating on channel 3 is KOAB-TV at Bend, Oregon. Station KOAB-TV is 194.5 kilometers (121 miles) southeast of the proposed KPXG channel 4 DTV site. The closest TV station operating on channel 4 is KOMO-TV at Seattle, Washington, 237 kilometers (147 miles) to the north. Both stations (KOAB-TV & KOMO-TV) are outside the Portland market area. Cable boxes and VCRs in the market should be able to use channel 3 to avoid interference problems from the proposed KPXF channel 4 DTV operation.

Station KPXG proposes to implement its DTV operation on channel 4 at the KOIN site (45-30-58, 122-43-

59). A non-directional antenna system is proposed with an ERP of 17 kW and antenna HAAT of 455 meters. The proposed transmitting facilities comply with Section 73.622(f)(6) of the FCC rules. Figure 2 is a sketch of the KOIN tower showing the location of the proposed KPXG channel 4 DTV antenna.

Figure 3 is a map showing the predicted DTV contours for the FCC's channel 20 DTV allotment (54.6 kW, 363 m) and KPXG's proposed channel 4 DTV operation (17 kW, 455 m). The proposed KPXG channel 4 DTV operation provides better coverage of the Portland DMA than the FCC's channel 20 DTV allotment. The estimated population (1990 Census) within the channel 20 DTV allotment contour is 1,911,000 people. The population within the proposed KPXG channel 4 DTV contour is 2,168,000 people.

For the foregoing reasons, the FCC is respectfully requested to change KPXG's DTV allotment from channel 20 to channel 4.

The proposed transmitter site for KPXG's DTV operation on channel 4 (the KOIN site) is located at 5516 SW Barnes Road, near Portland, in Multnomah County, Oregon. The site coordinates are as follows (NAD 27):

45° 30' 58" N
122° 43' 59" W

The proposed structure is a new tower to be located on the KOIN site, having the same overall height above mean sea level (AMSL) as the existing KOIN structure. The tower owner has informed KPXG that the FAA has been notified of the additional structure on the site, but has not yet

received a determination. As soon as the FAA Northwest Mountain office issues the determination, the owner will register the tower.

The proposed site for KPXG's DTV operation on channel 4 is approximately 307 kilometers from the closest point of the Canadian Border. Hence, coordination with Canada may be required. The site is more than 1,500 kilometers from the closest point of the Mexican border. The closest FCC monitoring station is at Ferndale, Washington located 383 kilometers to the north. The National Radio Quiet Zone (VA/WV) is more than 3,400 kilometers to the east. The Table Mountain Radio Quiet Zone (CO) is more than 1,500 kilometers to the east-southeast. The closest radio astronomy site conducting research on TV channel 37 is at Brewster, Washington located 372 kilometers to the northeast. All these separations are considered sufficient to avoid interference and not be a coordination concern.

Figure 4 is the separation study for DTV channel 4 at the proposed site (KOIN site). The study has been used to determine the assignments requiring interference studies using the procedures outlined in the FCC's OET-69 bulletin.¹ Interference calculations for the proposed KPXG channel 4 DTV operation are summarized below.

¹ The du Treil, Lundin & Rackley, Inc. DTV interference analysis program is based on the program and procedures adopted by the FCC in the Sixth Report and Order and subsequent Memorandum Opinion and Order. The principles outlined in OET Bulletin No. 69 are employed except that square grid cells of 1 square kilometer are employed instead of square grid cells of 4 square kilometers in area. The DLR results have been found to closely agree with the FCC results when the FCC uses higher resolution (i.e. smaller grid cell area) in its program.

<u>Station</u>	<u>Channel</u>	<u>Prop. DTV FCC Service Population</u>	<u>Interference Population</u>
KOMO-TV, Seattle, WA	NTSC-4	3,103,309	15,585 (0.49%)
KOMO-TV(App), Seattle	NTSC-4	3,122,518	14,819 (0.47%)
KPIC, Roseburg, OR	NTSC-4	127,345	1,711 (1.34%)

No calculated interference was caused to other pertinent DTV allotments on channels 3 or 4. The proposed KPXG DTV operation on channel 4 complies with the FCC's 2%/10% interference standard with all authorized and proposed analog and DTV assignments.

Although a secondary service, an examination was made of the low power television (LPTV) stations potentially impacted by the proposed KPXG DTV operation on channel 4 as compared to the current DTV allotment on channel 20.

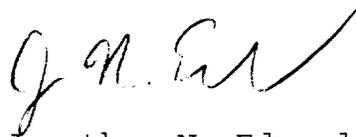
LPTV station KENY-LP on channel 4 at Reedville, Oregon will be displaced by the proposed KPXG DTV operation on channel 4. Station KENY-LP is only 12.4 kilometers from the proposed KPXG DTV site. Station K04GC on channel 4 at Trout Lake, Washington is 111 kilometers northeast of the proposed KPXG DTV site. It may be displaced. It does not appear that any other authorized LPTV station will be displaced by the proposed KPXG DTV operation on channel 4.

LPTV station K20DD on channel 20 at Albany, Oregon will be displaced by the current channel 20 DTV allotment for KPXG. The K20DD site is only 59 kilometers from the KPXG channel 20 DTV allotment site. Station K20EH on channel 20 at Hood River, Oregon is 120 kilometers to the northeast of the present KPXG site. Station K19CT on

channel 19 at Camas, Washington is 81 kilometers from the present KPXG site. These latter 2 LPTV stations may be displaced by the current KPXG DTV allotment on channel 20. No other authorized LPTV station appears to be impacted by the current KPXG DTV allotment on channel 20.

Based on the above, the LPTV impact appears to be essentially the same between the current KPXG DTV allotment on channel 20 and the proposal on channel 4.

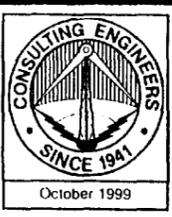
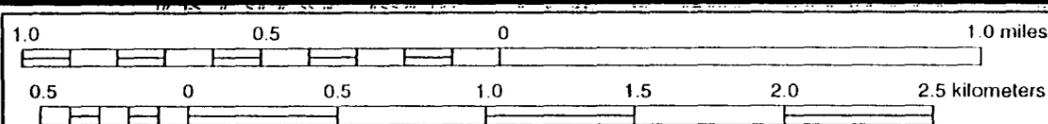
If there are questions concerning the technical portion of this petition, please contact the office of the undersigned.



Jonathan N. Edwards

du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
Sarasota, Florida 34237

October 18, 1999



PROPOSED TRANSMITTER LOCATION
STATION KPXG-DT
SALEM, OREGON
CH 4 17 KW 455 M
 du Treil, Lundin & Rackley, Inc. Sarasota, Florida

PORTLAND, OREG.-WASH.
 SW/4 PORTLAND 15' QUADRANGLE
 N4530-W12237.5/7.5
 1961
 PHOTOREVISED 1970 AND 1977
 AMS 1475 II SW-SERIES V892

Site Coordinates:
 45° 30' 58" N
 122° 43' 59" W



Figure 1



624.5 m AMSL
(2049 ft AMSL)

301.7 m
(990 ft)
(existing)

Proposed KPXG DTV Antenna

Radiation Center
545.9 m AMSL
(1791 ft AMSL)

223.1 m
(732 ft)

Site Coordinates:
45° 30' 58" N
122° 43' 59" W
(NAD 27)

322.8 m AMSL
(1059 ft AMSL)

Not to Scale

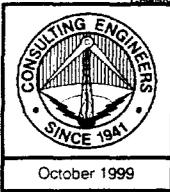
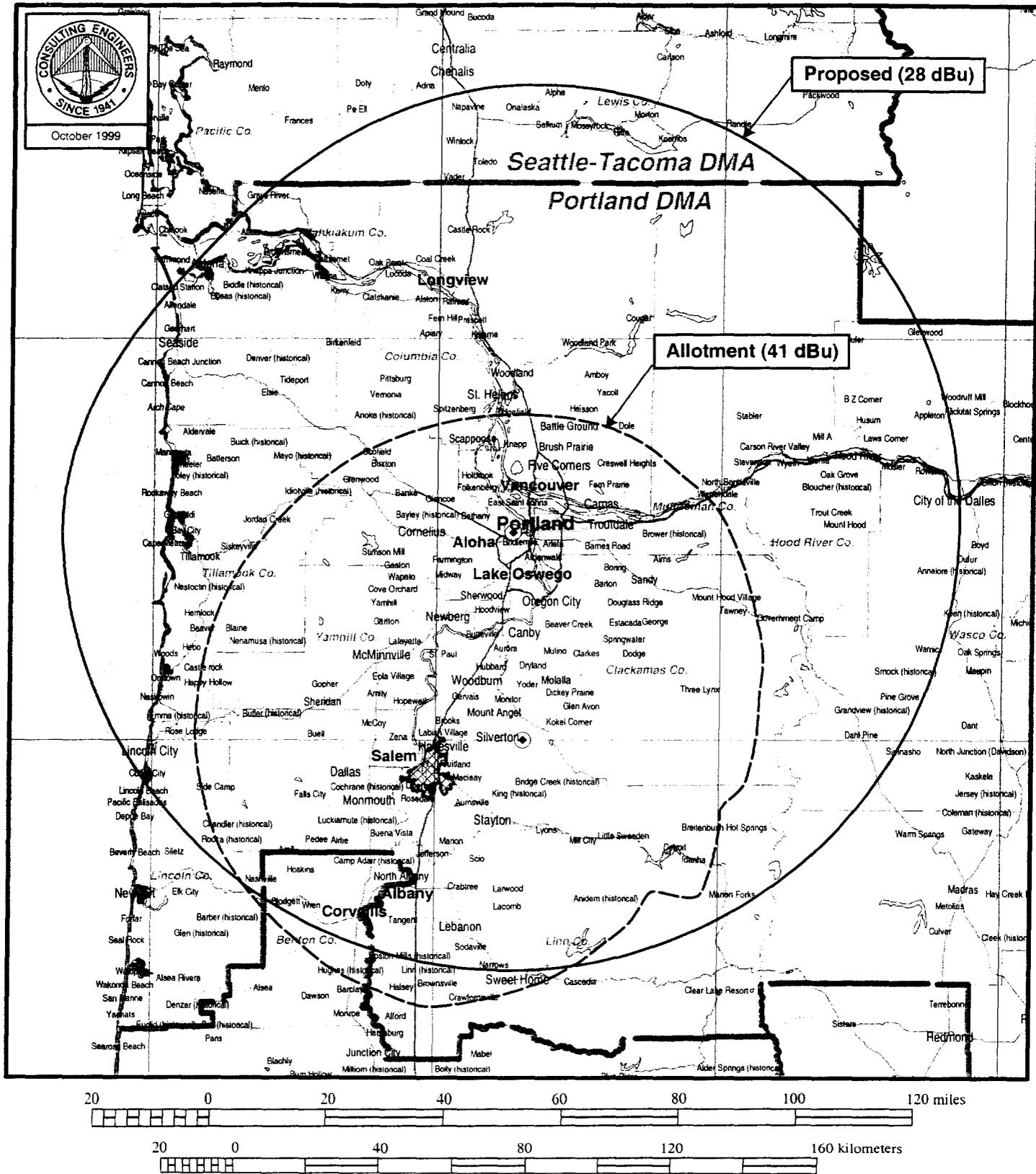
ANTENNA AND SUPPORTING STRUCTURE

STATION KPXG-DT

SALEM, OREGON

CH 4 17 KW 455 M

du Treil, Lundin & Rackley, Inc. Sarasota, Florida



NOISE-LIMITED CONTOURS
STATION KPXG-DT
SALEM, OREGON
 du Treil, Lundin & Rackley, Inc., Sarasota, Florida

DTV -> TV Separation Study

Job Title :KPXG-DT
 Zone : 2
 Channel 4 (66- 72 MHz)

Separation Buffer 161 km
 FCC TV DB Date : 10/08/99
 Coordinates : 45-30-58 122-43-59

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
KOABTV LIC	BEND OR	BLET-901019KG	* 3(+) II	58.9 227	44-04-41 121-19-57	144.9	194.48 69.48	11.0/125 CLEAR
KOMOTV LIC	SEATTLE WA	BLCT-2186	4(o) II	100 247	47-37-55 122-21-09	6.9	237.01 -36.59	273.6 SHORT ¹
KOMOTV APP	SEATTLE WA	BPCT-960624KO	4(o) II	100 275	47-37-56 122-21-11	6.9	237.04 -36.56	273.6 SHORT ¹
KPIC LIC	ROSEBURG OR	BMLCT-573	4(+) II	5.37 305	43-14-20 123-18-42	190.5	257.22 -16.38	273.6 SHORT ¹

** End of TV Separation Study for Channel 4 **

DTV -> DTV Separation Study

Job Title :KPXG-DT
 Zone : 2
 Channel 4 (66- 72 MHz)

Separation Buffer 161 km
 FCC DTV DB Date: 12/18/98
 Coordinates : 45-30-58 122-43-59

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
----------------	------------	--------------	-----------------	--------------------	-----------------------	---------------	---------------	--------------

No DTV records located on this channel & within
 the required separation plus a safety factor.

¹ Proposed DTV operation complies with FCC's 2%/10% interference policy using procedures outlined in FCC's OET-69 Bulletin.