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November 1, 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 Idaho Independent Television, Inc., licensee of KTRV(TV), Nampa, Idaho, there are transmitted herewith an original and five copies of its *Petition for Rule Making* proposing a substitution of channel 13 for channel 44 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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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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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 )  
(Nampa, Idaho) )  
)

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

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

Idaho Independent Television, Inc. ("IIT"), licensee of KTRV(TV), Nampa, Idaho, 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 13 as the station's paired DTV allocation for the transition period in lieu of channel 44, as originally allotted. As set forth in greater detail in the attached Engineering Statement, the proposed substitution would permit IIT to operate digital facilities co-located with its analog facilities and with a paired DTV channel adjacent to its analog channel.

KTRV(TV) serves the Boise, Idaho DMA, which is ranked 125th. The Commission has adopted a number of rules and policies to assist smaller market stations in recognition of the special burden that the implementation of digital television places on them – the most prominent

being the staggered DTV construction schedule.<sup>1</sup> Likewise, the Commission has promised to provide broadcasters with flexibility in developing alternate allotment proposals.<sup>2</sup>

IIT can reduce the costs of building-out and operating its DTV facilities by transmitting on the DTV channel adjacent to its NTSC channel. Both the analog and digital facilities could share certain equipment. Additionally, the operation on the VHF channel would improve signal coverage for viewers in the Boise, Idaho DMA and lower KTRV-DT's operating costs. The public interest would be served by the more efficient use of the broadcast spectrum.<sup>3</sup>

As demonstrated in the Engineering Statement, KTRV-DT's proposed service area encompasses the community of license as required,<sup>4</sup> and the proposed amendment conforms with the Commission's *de minimis* interference standard.<sup>5</sup>

WHEREFORE, for the foregoing reasons, IIT respectfully requests that the Commission initiate a rule making proceeding to amend Section 73.622(b) of its Rules to substitute channel 13 for channel 44 for use by KTRV-DT at the allotted reference point in Nampa, Idaho. The amendment would serve the public interest because the changes proposed herein will enable

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<sup>1</sup> Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, *Fifth Report and Order*, MM Docket 87-268, 12 FCC Rcd 12809, ¶78 (1997).

<sup>2</sup> Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, *Sixth Report and Order*, MM Docket 87-268, 12 FCC Rcd 14588, ¶172 (1997).

<sup>3</sup> The Commission also has recognized co-located, adjacent-channel analog and digital facilities minimizes potential interference. Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, *Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order*, 13 FCC Rcd 7418, ¶¶92, 95 (1998).

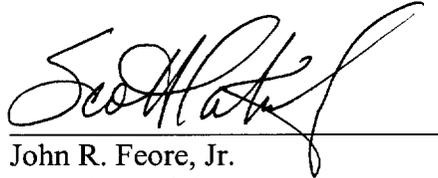
<sup>4</sup> 47 C.F.R. §73.623(c)(1).

<sup>5</sup> 47 C.F.R. §73.623(c)(2).

KTRV-DT to provide better coverage to its service area, resulting in a more efficient use of the broadcast spectrum.

Respectfully Submitted,

IDAHO INDEPENDENT TELEVISION, 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: November 1, 1999

**ATTACHMENT**

**Engineering Statement**

ENGINEERING STATEMENT  
PETITION FOR RULE MAKING  
SECTION 73.622 OF THE FCC RULES  
ON BEHALF OF  
IDAHO INDEPENDENT TELEVISION, INC.  
KTRV-DT, NAMPA, IDAHO

OCTOBER 1999

COHEN, DIPPELL AND EVERIST, P.C.  
CONSULTING ENGINEERS  
RADIO AND TELEVISION  
WASHINGTON, D.C.

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington            )  
  ) ss  
District of Columbia         )

Donald G. Everist, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer, a Registered Professional Engineer in the District of Columbia, and is President of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

That his qualifications are a matter of record in the Federal Communications Commission;

That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.



Donald G. Everist  
District of Columbia  
Professional Engineer  
Registration No. 5714

Subscribed and sworn to before me this 29<sup>th</sup> day of October, 1999.



Notary Public

My Commission Expires: 2/28/2003

This engineering statement has been prepared on behalf of Idaho Independent Television, Inc., licensee of television station KTRV(TV), NTSC Channel 12, Nampa, Idaho. It is proposed to change the current digital television channel allotment contained in Section 73.622 of the FCC Rules from UHF Channel 44 to VHF Channel 13 at the maximum VHF-DT non-directional power of 30 kW. The resulting service area encompasses the entire community of license.

A detailed analysis has been performed of the impact of this proposal on other authorized NTSC stations, DTV allotments listed in Table B<sup>1</sup>, and other proposed DTV allotment changes. This analysis has been conducted using the Federal Communications Commission OET Bulletin 69, dated July 2, 1997 and the FCC supplemental processing guidelines dated August 1998. The analysis was performed by using the FCC's Longley-Rice model ("FLR") adapted for use for an INTEL computer. The results of this adapted FLR program has been compared to other known FCC studies have been found to give comparable results.

Existing KTRV-DT Table of Allotment, Specified on Page B-19

<u>DTV Channel</u>	<u>Effective Radiated Power</u>	<u>Height Above Average Terrain</u>
44	525.4 kW Existing site coordinates	829 meters
	<u>Proposed KTRV-DT Facilities</u>	
13	30 kW Existing site coordinates	829metes

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<sup>1</sup>In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service", MM Docket No. 87-268, Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order (FCC 98-24), 2/12/98.

As shown in Table 1 modifying the DTV allotment for KTRV(TV) would not result in additional interference in excess of that permitted by the FCC's Rules. Further, an examination of co-channel low power television and translator stations within 50 km has been performed. No other low power or translator station is found. Therefore, it is believed that the request for DTV channel will be consistent with the FCC Rules.

COHEN, DIPPELL AND EVERIST, P. C.  
INTERFERENCE SUMMARY  
KTRV-DT, NAMPA, IDAHO  
CHANNEL 13, 30 KW, NON-DIRECTIONAL, 829 METERS HAAT  
OCTOBER 1999

A study of predicted interference by the proposed KTRV-DT service has been performed using a version of the Longley-Rice program as described in OET Bulletin No. 69 (July 2, 1997) and the Public Notice, "Additional Application Processing Guidelines for Digital Television (DTV)" (August 1998). The FCC's FORTRAN-77 code was modified only to the extent necessary (primarily input/output handling) for the program to run on a Windows98/Intel platform. Comparison of service/interference areas and populations indicates that this model closely matches the FCC's evaluation program. Best efforts have been made to use data and calculations identical to the FCC's program. Any slight differences are attributable to compiler, operating system and/or processor characteristics. The effect of any variance in calculated population values versus the FCC's program is minimized when differencing a given model's results, e.g., new interference equals total interference less baseline interference. The effect is further reduced for ratios of calculated population values, e.g., incremental population affected as a percent of total population served. The model employs the Longley-Rice propagation methodology and evaluates in grid cells of approximately 4 km<sup>2</sup> using 3-second terrain data sampled approximately every 0.1 km at one degree azimuth intervals with 1990 census centroids.

The following conditions were investigated:

Present Allotment

Baseline: Allotment, KTRV-DT, UHF Channel 44, 525.4 829 meters HAAT

Proposed Change: Channel 13, N 43° 45' 18", W 116° 05' 52" (NAD-27)

Proposed Change: KTRV-DT, VHF Channel 13, a height of 829 meters HAAT

and an ERP of 30 kW omni-directional at N 43° 45' 18", W 116° 05' 52" (NAD-27)

Interference Caused by KTRV-DT

<u>Affected Station</u>	<u>Distance/Bearing</u>	<u>Baseline</u>	<u>New</u>
KTRV-TV, CH.13, La Grande, OR Licensed 7 kW, 787 M 0.2% New Interference (App.B)	216.2 km/323.7°	0.4%	0.8%
KIPT-TV, CH.13, Twin Falls, ID Licensed 22 kW, 161 M 0.0% New Interference (App.B)	178.0 km/129.3°	0.0%	0.5%