

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Establishment of a Class A Television Service) **MM Docket No. 00-10**

To: The Commission

COMMENTS OF THE COMMUNITY BROADCASTERS ASSOCIATION

1). I am Ron Bruno the principle owner of The Bruno Goodworth Network Inc. D/B/A WBGN-TV in Pittsburgh Pennsylvania. WBGN-TV is a group of eleven (11) low power stations that broadcast simultaneously to cover the Pittsburgh and Wheeling/Steubenville Demographic Marketing areas as described by Nielsen Media Research. I am also on the Board of Directors of The Community Broadcasting Association (CBA) where I serve as its Secretary. The following comments are the findings of WBGN-TV and not necessarily those of the CBA.

2). WBGN-TV agrees with the most comments filed by the CBA, but we need to emphasis the following points which will place undue economic burdens on our company if the ruling is not written with the following considerations intact.

3). Class A license applications need to be accepted beyond the 30 days after “the implementation of the final regulations”. The public interest, convenience and necessity would be served by allowing LPTV broadcasters to improve their service when they can afford to do so, then apply for Class A. By allowing this, the FCC would encourage LPTV broadcasters to upgrade their facilities and provide three hours of local programming per week, thereby better serving the public.

4). Where spectrum is available a Class A station should be able to apply for and receive a second DTV channel. This will help encourage more demand for DTV and help speed the public interest in this new technology. Class A DTV 2nd channel licenses should be awarded only after all analog Class A applications are processed.

5). Class A stations who qualify after November 29, 1999 should not be disqualified because of common ownership. We meet all criteria for Class A status on all of our common ownership stations, however some stations are located “out of the core spectrum” and will need to be moved. These stations could be disqualified because they are not in the core. Once we find a place in the core we do not want to be disqualified on this technicality. We agree with the commission’s findings that “regardless of when authorized, no LPTV station would be disqualified from Class A status based on common ownership with other media entities.”

6). We strongly urge the commission to allow Class A qualifying stations to operate on channels 52 through 59 until the end of the transition period to DTV. In our market and across the country, the public interest, convenience and necessity would be served by allowing our stations to operate on these channels until the end of the transition period to DTV. This is consistent with Part 73 rules already in effect. Failure to allow this could put many of our stations off the air.

In most larger markets such as ours in Pittsburgh, there is little to no core spectrum left and we need a place to operate until the DTV transition takes place and channels become available. In addition, to insure the success of this ruling, Class A certified stations operating on channels 52 through 59 need to be assigned to the core spectrum on full power analog channels prior to being vacated by full power analog stations. This will help the commission manage the spectrum for future uses and insure the survival and vitality of Class A stations like ours.

7). We believe that all Class A stations need to be in the Part 73 rules and should be Part 73 compliant with the exceptions outlined in the comments filed by the CBA. However, we do believe that in a group of commonly controlled stations, the "main studio rule" needs to apply to only the station that is doing "the controlling". Our group of stations is operated 24 hours from a central location with seven employees and two owners. We are centrally located in the market just like all the full power stations. It would be an unfair disadvantage for us to have employees scattered around the market when they need to be serving the public from our main offices. Also, smaller market stations (those with sales lower than 1 million dollars per year) need to be given consideration because of their financial situation.

8). We fully comply with the Class A rule of three hours of local programming. However, some of our programming needs to count towards this requirement that might not be produced in our area covered by our group of commonly controlled stations. For example, next Wednesday February 16, 2000 we are airing The University of Pittsburgh (Pitt) at Syracuse basketball game. We can't get any more local than this – our WBGN-LP transmitter site is located on Pitt's property! This game is clearly of major interest to sports fans in Pittsburgh. This game should qualify as local programming even though it is being played in Syracuse, New York which is eight hours of driving time away from Pittsburgh. Another example is that our local state congress and senators provide us with public affairs programs that are produced in Harrisburg which is our state capital. We would produce these shows ourselves but the Pennsylvania State Congress is in Harrisburg which is four hours driving time away. It is more practical to videotape them out of our service area rather than force them to miss a day of legislation by coming to our studios.

9). In summary we commend the FCC for all of its efforts to help preserve our stations through Class A status. We have our entire life long investment tied to these stations and we trust in you that these proceedings will produce rules that protect our investment and be of the public interest, convenience and necessity to the citizens of this great county.

Thank you for your time and consideration.

Respectfully submitted,

Ron Bruno
President
Bruno Goodworth Network Inc.