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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

APR - 6 2000

FCC MAIL ROOM

In re: Applications of : MM Docket No. 99-153
READING BROADCASTING, INC. :
For Renewal of License of : File No. BPCT-940407KF
Station WTVE (TV), Channel :
51, Reading, Pennsylvania :
and : File No. BPCT-940630KG
ADAMS COMMUNICATIONS :
CORPORATION :
For Construction Permit for :
a New Television Station :
to Operate on Channel 51, :
Reading, Pennsylvania :

DEPONENT: DAVID KASE

DATE AND TIME: Friday, October 29, 1999
at 10:15 a.m.

LOCATION: Comfort Inn
2200 Stacy Drive
Reading, Pennsylvania

Berks Court Reporting Service
By: Lori A. Dilks, RPR
12 Pacific Avenue
Sinking Spring, Pennsylvania
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APPEARANCES:

HOLLAND & KNIGHT, LLP
By: Thomas J. Hutton, Esquire
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Representing Reading Broadcasting, Inc.

BECHTEL & COLE, CHARTERED
By: Gene A. Bechtel, Esquire
1901 L Street, N.W., Suite 250
Washington, D.C. 10036

Representing Adams Communications

STIPULATION: It has been stipulated by and between counsel that they waive the sealing of the transcribed testimony by the witness, and the filing of the original with the Court, and all objections, except as to form, until the time of trial.

I N D E X

<u>WITNESS</u>	<u>EXAMINED BY</u>	<u>PAGE</u>
David Kase	Mr. Bechtel	3

<u>EXHIBITS</u>		
<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
Kase 1	Notice of Deposition	3
Kase 2	Subpoena	3

P R O C E E D I N G S

DAVID KASE

was called as a witness and, having been first duly sworn by the Reporter-Notary Public, was examined and testified as follows:

BY MR. BECHTEL:

Q. Mr. Kase, my name is Gene Bechtel. I'm counsel for Adams Communications Corporation. You know Mr. Hutton, I trust?

A. Um-hum.

Q. If any of my questions are unclear, just say so. If Mr. Hutton interjects after I have asked a question, wait until he and I have finished talking. And if you need a break at any time, just say so.

A. Okay.

(Whereupon, the Reporter marked the following exhibits for identification: Kase Exhibit No. 1, Notice of Deposition; and Kase Exhibit No. 2, Subpoena.)

BY MR. BECHTEL:

Q. Now, sir, you have received a notice to take this deposition which is Exhibit 1. Is that true?

A. Yes.

Q. And you received the Subpoena which is Exhibit 2?

1 A. Yes.

2 Q. Do you have any documents in your
3 possession as called for in the Subpoena?

4 A. I had no such documents at all. So, no, I
5 have none in my possession.

6 Q. Now, you need to take a patience pill
7 because what we want to learn this morning is really
8 some information about the way the station operates and
9 some entries on the program logs so that we can prepare
10 for the hearing down in Washington. And you appear to
11 be the Mr. Fix-it person in terms of the technical
12 operation, and you're referred to frequently on the logs
13 so we've asked you to show up to have us understand
14 things. So we'll go through these logs as fast as we
15 can, and then we can get you out of here.

16 A. Okay.

17 Q. How long have you been employed by Reading
18 Broadcasting Company?

19 A. On and off since 1985. I've left twice and
20 came back twice. I was there three different times,
21 basically, three different time periods. One was '85
22 till, I think, '89. Then I came back -- during this
23 time frame I came back, I think, around '93. This date
24 may not be perfectly accurate. Then I came back from
25 '93 to, say, '95. Then I came back two years ago again.

1 Q. And I'm interested in this time frame. I
2 think we may have some logs with your name on it a
3 earlier than '92, but --

4 A. I'm sure you do.

5 Q. I'll show those to you. During this time
6 frame, what was your position at the station?

7 A. Assistant Chief Engineer.

8 Q. Were you employed full-time?

9 A. Yes, sir.

10 Q. And who was your boss?

11 A. Gibson White. That's G-I-B-S-O-N, then
12 White.

13 Q. And above Mr. White?

14 A. Back then -- I'm not quite sure how the
15 company was organized at that point. It was either --
16 it would have been the Station Manager, which I think at
17 the time was Mike Parker. Gibson White as the Chief
18 Acting -- he's the Chief Engineer. Our company is small
19 enough where we don't normally have the normal
20 organization of people.

21 We had a Station Manager, General Manager,
22 and a Chief Engineer. Those three are generally, in
23 most stations, considered the top three positions, you
24 know, in charge. Unfortunately, Gib was only one day a
25 week. I handled it five days a week. And if I had

1 problems, I'd refer to him for help. That's basically
2 how the setup was.

3 Q. And in your day-to-day operation, would you
4 sometimes deal directly with Mr. Parker or whoever was
5 the General Manager?

6 A. Once in awhile, generally only in the
7 severe situations where I needed large sums of money to
8 effect repairs.

9 Q. And as the Assistant Chief Engineer, were
10 you the Supervisor of the other Master Control
11 Operators, or how did that work?

12 A. No, sir. The Supervisor for the Master
13 Control Operators would have been the Chief Master
14 Control Operator. At that time it was either Dan
15 Bendetti or Kim Bradley. I'm not sure who it would have
16 been.

17 But I handled the technical end of things.
18 If their equipment was not functioning properly, they
19 informed me and I would repair the problem as I could.
20 As far as their operations, what they were required to
21 do, the only time I would be involved in that is if it
22 was a blatant disregard for their duties, meaning if
23 they weren't in the room or something like that, I might
24 impose myself; otherwise, I stayed out of that side of
25 it.

1 Q. In your career, have you had broadcast
2 engineering experience or education, formal education or
3 both elsewhere?

4 A. Broadcast, no. Transmission, yes. In the
5 military -- I was seven years in the military where I
6 was in communications. That's where I learned my basics
7 for my job. I started with the station after I was out
8 of the Navy for about four years. I started with the TV
9 station around '85. And I've been with them since on
10 and off. Everything I've learned regarding broadcast
11 television, I learned from Gib White. He taught me OJT,
12 I guess, on-the-job training.

13 Q. And the kind of communications work you did
14 in the military, expand on that just a little bit.

15 A. I worked for a Naval security group. I had
16 a top secret clearance, and I worked on communication
17 systems that were involved with NATO command,
18 telecommunications, video communications, and my primary
19 job was working on the equipment that encrypted the
20 communications so they were secure. Seven years of that
21 and then I got out. But it gave me a very large
22 background in communications, generally speaking.

23 Q. In the operation of WTVE the basic drill on
24 a typical hour would be for the Home Shopping Network
25 programming to occupy most of the hour, but there were a

1 couple of breaks.

2 A. Correct.

3 MR. HUTTON: This is during the 1989 to '94
4 time frame?

5 THE WITNESS: That'd be Home Shopping
6 Network's time frame, yes.

7 MR. BECHTEL: Or whenever -- yeah, that was
8 what I meant to say.

9 THE WITNESS: We were primarily Home
10 Shopping Network at that time.

11 BY MR. BECHTEL:

12 Q. When it came time to activate the station's
13 programming on the breaks, was that done manually at a
14 master control board, or was it loaded in, in some
15 automated fashion?

16 A. The way you're asking the question, it was
17 fully manual. Automated in the fact that they would
18 load the tapes beforehand, the tapes would be ready to
19 go in their machines. At the break they would cut from
20 HSN signal, Home Shopping Network, and then -- when they
21 say cut, we actually have a button. It's a cut button.
22 It cuts out HSN, and it would bring in our local signal
23 which was derived from our tape machines.

24 We had assorted tape machines which you
25 could punch up, and they'd have the commercial breaks

2

1 lined up in the machines. They'd go from one machine to
2 the next until the break was finished and then cut back
3 to HSN at the end of the allotted time.

4 Generally, if we had a two and a half
5 minute break, we'd have two and a half minutes of
6 commercials. Fit them in the slot and then come back.
7 It's standard operation for television except ours was
8 manual.

3

9 Q. When they went back to the Network at the
10 close of the break, did they have to push another button
11 or was that functional?

12 A. To go back to HSN, Home Shopping Network
13 you mean?

14 Q. Yes.

15 A. No. They would have to punch that back.
16 They would -- basically we have a switcher with -- our
17 switcher has 12 inputs, 12 buttons. Each button selects
18 any one of the inputs that I would assign to it. I
19 generally assign six tape decks to six of them, HSN to
20 one, backup satellites to one or two others, and then
21 assorted test signals on the other in inputs. So all
22 they would have to do is Tape Deck 1, Tape Deck 2, Tape
23 Deck 3, and hit the 4th button to go back to HSN
24 (indicating).

25 Q. It sounds like even a lawyer could run

1 that.

2 A. Yes. It was a relatively simple system.
3 Back then, Home Shopping Network programming was not
4 complicated. We had two breaks an hour. I'm not sure
5 exactly. I think it added up to like six and a half
6 minutes total for the whole hour. So it really wasn't
7 much break time involved.

8 The only other time we would cut into HSN's
9 signal would be for our station ID, which was required
10 by law. That has changed over the years, the
11 requirements, but generally, you know, we stuck to the
12 requirements, either once every half hour -- I think we
13 did it once every 15 minutes for a long time just to be
14 on the safe side.

15 Q. At times the person who was on duty as the
16 Master Control Operator would also have other functions
17 such as producing a spot announcement or something of
18 that nature. Is that the case?

19 A. Correct.

20 Q. Now, where were they physically when they
21 produced a spot? Were they in the same room, or did
22 they go to another place, another room?

23 A. Everything was in the same room. In fact,
24 all the equipment is within almost arm's reach. The
25 Master Control would operate at their control panel.

1 When they were finished, they literally moved 6 feet to
2 the right, and there was the Production Center.

3 It was all one long cabinet with all the
4 equipment built into this one area. They had complete
5 view of our on-air signal, the wave form and Vectorscope
6 which are test equipment we use to make sure our signal
7 is within FCC specifications. And then they could also
8 hear our audio while they were doing a production. It
9 was separate equipment, but all interconnected so we
10 could actually take production and put it right on the
11 air if we had a need for it. We never did that, though.
12 It was interconnected so it was very close.

13 Q. Did the Master Control Operator also have
14 duties with regard to the remote control of the
15 transmitter?

16 A. Yes, sir. That was their -- in my
17 viewpoint, that was their primary responsibility --

18 Q. I understand.

19 A. -- to keep us on the air and keep that
20 transmitter running within legal requirements. We have
21 a remote control unit which is literally in the Master
22 Control area, between the 6 feet from the Master Control
23 to Production, it's right in the middle. They could see
24 it from either way, and they could literally reach it
25 from either section.

1 The remote control consisted of a simple
2 dial which would put different readings on a little LED
3 screen in number form, and they'd log those numbers --
4 I'm sure you have the logs here with our transmitter
5 logs and stuff -- and they would do that once an hour.

6 FCC requirements, I think, are every four
7 hours minimum. We always made sure we were doing it
8 once an hour primarily for our own safety and for the
9 transmitter and if there was anything going wrong, we'd
10 have quicker, you know, access to the information, and I
11 could jump on the problem sooner than later.

12 Q. Did the Master Control Operator maintain a
13 transmitter log as well as the program log?

14 A. Yes. I had to think what you were saying.
15 We had the program logs, the discrepancy reports, and
16 then we had a transmitter log which is a sheet with
17 hourly reading -- well, basically they put the time they
18 did their readings, and then it had a slot for -- you
19 know, a column for each reading they had to take, and
20 they'd write them down.

21 Basically, we were writing down current
22 levels and power output levels of the transmitter. This
23 would allow me to be informed if there was a problem
24 developing in the transmitter and, hopefully, could
25 correct it before we would burn something up.

3

1 Considering the power levels we run at, that's rather
2 critical.

3 Q. If the station were to go off the air,
4 would an entry regarding that be placed on the
5 transmitter log as well as the discrepancy sheet on the
6 program log?

4

7 A. Yes, sir. The entry on the discrepancy
8 sheet would be a basic description of what happened. If
9 we went off the air -- transmitter's off the air, call
10 Dave in. That would be pretty much the entries there
11 because these are non-technical people.

12 At that point I would come in and try and
13 figure out what was going on. What they would put in
14 the transmitter logs would be generally the slots --
15 time slots that would normally be -- the slots where
16 they would normally put in the transmitter readings. If
17 we were off the air, they obviously couldn't do it. At
18 that point they would generally mark in there, off air,
19 or maybe just a line through it to indicate we were off
20 air.

21 Q. Somewhere in this same room was there some
22 sort of gear relative to the Emergency Broadcast System?

23 A. Yes, sir. Right in the same rack as the
24 remote control and Master Control equipment, within -- I
25 mean, right in front of them which is where it was

1 required to be. They need to have access to it all the
2 time so they would be aware if anything would come
3 across.

4 Q. Was activation of the emergency
5 broadcasting transmission a manual function that they
6 carried out?

7 A. Yes, sir.

8 Q. I want to give you a log for August 3,
9 1989. Hold on a second.

10 (Short pause.)

11 BY MR. BECHTEL:

12 Q. I'm trying to fix when you were there, and
13 I have a log here dated August 21, 1989, and I'll ask if
14 that's your -- hold on -- September 19, 1989, and ask if
15 that's your signature.

16 A. (Witness reviewed document.)

17 Yes, sir, it is.

18 Q. Let me give you one more. July 30, 1991.

19 A. (Witness reviewed document.)

20 Yes, sir, that is, too.

21 Q. I'm going to ask you questions in that time
22 frame back there, and if you get to a place where you
23 think you weren't there, tell me.

24 A. Sure. I cannot honestly say I remember the
25 exact date I left and came back. I will have to depend

1 on these forms. Obviously, for a period of time there,
2 between leaving and coming back, I worked for them
3 part-time as Master Control Operator. That's why my
4 name is on these lists to begin with. Back then we
5 filled in -- they filled me -- they used me to fill in
6 Master Control Operator positions as needed. And I also
7 remember between leaving and coming back full-time, I
8 also worked part-time for -- once in awhile to fill in
9 for Master Control Operators just for extra -- you know,
10 extra income.

11 I can't honestly remember when I worked
12 those. I do remember I filled in for some Christmas
13 parties. When they had a Christmas party, I did -- I
14 worked that evening, things like that. But basically I
15 was a fill-in Master Control Operator for now and then.
16 Again, how often, I don't really remember. That is ten
17 years ago, but I'll tell you everything I can remember.

18 Q. Let me have those back and I'm going to put
19 them into sequence because I hope to come to them again.
20 I can show you a log in August of 1989. I don't know if
21 that is something about which you have knowledge, but it
22 raises a question I want to ask of general application.
23 If we can get that, then I don't need to find a log for
24 this; that is to say, as we've gone through the logs for
25 the five-year period, every once in awhile we see a

1 period of time when the transmitter is off the air for a
2 couple of hours, two to three, maybe five hours in the
3 wee, small hours of the morning.

4 A. Right.

5 Q. It's not done regularly as in the sense of
6 once a week or once a month or something, but it happens
7 every once in awhile.

8 A. Right.

9 Q. My question to you is, at least during your
10 watch as the Assistant Chief Engineer, does that signify
11 taking a transmitter off the air for a routine kind of
12 maintenance and repair operation?

13 A. Yes, it does. Generally, any time frame
14 that you saw where we were off the air during midnight
15 hours, after midnight, before 8 in the morning, would
16 have been a planned time that I was taking it off the
17 air. Because that's the best time of day to take it
18 off, the fewest amount of people are watching. It's
19 pretty standard.

20 Since we are an around-the-clock operation,
21 we had to pick some time to take it off the air and,
22 generally, we would lose the least amount of money and
23 be the least bothersome to our viewers at those times
24 that we would pick. Generally, I'd try to do it between
25 midnight and 6 in the morning or 8 depending on how much

4
5

1 work I had.

2 The transmitter has preventative work that
3 would need to be done on a quarterly and a bi-yearly
4 basis. Unfortunately, we would do it -- well, I would
5 do it as frequently as I could get permission to do. A
6 lot of times they would hesitate to drop it off the air
7 because of a certain program or something, but we did
8 get the maintenance in as needed to keep us on the air.

9 Just basically what it was, just replacing
10 hoses, doing alignment procedures on the transmitter
11 that can't be done while it's on. That's not to say
12 that one or two of those times might have been an actual
13 problem that developed at that point, 'cause obviously I
14 would go up -- I'm on page around the clock to go up for
15 that transmitter. That is, my primary responsibility at
16 the station is to keep us on the air.

17 So, you know, if they would call me at 1 in
18 the morning, if they went off the air, lightning
19 storm, whatever, I would go in for that. But generally
20 those would be shorter periods of time, an hour, maybe
21 two, depending how good I was.

22 Q. Same drill. I can get you a log and you
23 can see the entry, but if me saying what I say in my
24 question triggers what we're talking about. I see
25 references to head troubles with VCR equipment.

1 A. Yes, sir.

2 Q. Does that make sense to you?

3 A. Yes, sir.

4 Q. What are those?

5 A. The heads are the -- it's a revolving disk
6 or a revolving drum inside the tape machine. The tape
7 wraps around the head, and it takes the signals off the
8 tape. It spins and the tape moves across them at the
9 same time. There's a lot of friction involved.

10 The tapes on a normal use will slowly drop
11 bits and pieces of the tape into the machine, and they
12 get impregnated onto the heads; that's what they mean by
13 dirty heads. Basically, you could be running a tape --
14 it happens in VCR's and any type of tape machine.

15 The basic way to repair that would be to
16 stop the machine, take the tape out, and then go inside
17 with a cleaning pad and alcohol and clean the heads.
18 It's a simple procedure. Master Control Operators can
19 even do it. Then they go back and use the tape once --
20 you know, use the machine once the fluid had dried and
21 stuff.

22 Simply, it's like cleaning the monitor on a
23 TV screen; once it gets too dirty, you can't see it.
24 It's sort of the same analogy. It's a thing we would
25 normally do once a day just to keep them clean, but if

1 you receive tapes from suppliers, as we did all the
2 time, people would send their tapes to us on a daily or
3 weekly basis and we would show their tapes. These tapes
4 are passed -- back then, especially, were passed all
5 over the country from station to station, and they got
6 worn out rather quickly. And they have a tendency to
7 clog your heads a lot quicker than a new tape would do.

8 In a good situation, you would use a tape
9 two or three times and throw it away. These tapes
10 probably were used dozens of times. Because they'd go
11 to one station, and then they'd go to the next station,
12 and they'd keep passing them down the line to everybody
13 who'd use the tape. Not the best way, but that was one
14 of the few ways we had to disseminate our video product
15 to their sources. Not us, but our suppliers of the
16 video.

17 HSN we had a direct satellite feed so that
18 wasn't a problem with them, but the commercial breaks
19 and half-hour info commercials were all on tape. So if
20 a head clog would happen during the running of a tape,
21 your only option was to go to another tape while you
22 pulled that tape out of there, either put it in another
23 machine until you could have time to clean that machine.

24 Q. I also see entries which relate to
25 malfunctioning or not working properly of something

5

1 called C-H-Y-R-O-N and character generator. First of
2 all, how do I pronounce that?

3 A. That's Chyron character generator. It's
4 one piece of equipment. They may say Chyron, that's the
5 brand name of the product. Chyron is a major supplier
6 of character generators. If you go to any station in
7 the country, chances are you'll see a piece of Chyron
8 equipment in there.

9 Over the years we have just called the
10 character generator the Chyron. It's very standard.
11 It's just the words that people use in the industry.

12 Q. What does it do?

13 A. A character generator would put words on
14 your video. Let's say you had a person talking and you
15 wanted to put their name below them. The character
16 generator would do that. Whenever you see words or
17 numbers or anything come up on the screen overlaying the
18 existing video, that's done by a character generator.

19 Q. I tried a case about 25 years ago where
20 they had something called a vidicon. Are you familiar
21 with that archaic term?

22 A. I remember seeing one once, and that was
23 the early predecessor. I mean, in early days of
24 television they would literally write on a board and
25 then hold it up to the picture. Channel 48 in

6

1 Philadelphia just recently was doing the same thing.
2 They don't -- they didn't have a character generator --
3 see, I was going to call it a Chyron -- so they -- when
4 they were having some on air problems they actually put
5 a handwritten sign in front of a camera to say what was
6 going on. It's obviously somewhat unprofessional
7 looking. Having a Chyron or a character generator is a
8 little bit more professional.

9 Q. I also see an entry regarding a
10 malfunctioning of a Tektronic monitor over remote
11 transmitter controls. Do you want to see that log?

12 A. No, I'm just trying to remember which
13 monitor it was. Tektronics, again, is the brand name of
14 the monitor. The monitor is a picture -- is basically a
15 television set with no audio. It just has the video
16 there.

17 The monitor was a very old unit and it
18 failed, and we needed to replace it. That was
19 monitoring our on -- that would be monitoring -- I'm
20 sorry, could you read that one more time?

21 Q. Tektronic, T-E-K-T-R-O-N-I-C, monitor over
22 remote control transmitter controls is crapping out, is
23 what the gentleman wrote, or lady. It wouldn't have
24 been a lady.

25 A. That unit was used to look at our video

1 signal before I sent it to the transmitter. It was
2 between the studio and the transmitter. It would look
3 at that signal, and then I sent it up to the
4 transmitter; that way I was breaking my video path down
5 to stages so if I would have a problem I could say,
6 okay, that monitor's good, this one isn't, I know it's
7 in this section of the system. It's pretty much a
8 trouble-shooting aid than anything else.

9 Q. There are references to VCR No. 1, No. 2,
10 No. 3, and there are also references to VTR No. 1, No.
11 2. What's the difference?

12 A. VTR stands for Video Tape Recorder. When
13 they first came out with tape machines that you could
14 fit on a table rather than in the corner of a room --
15 and even back then, when they first came out with tape
16 machines they called them video tape recorders, so VTR
17 is how it began. VCR is Video Cassette Recorder.

18 The difference is, when we use those terms
19 here, they're interchangeable. VCR's are any tape
20 machine that has a cassette you put in it which is all
21 our equipment now. Back in the early 80's we had
22 reel-to-reel machines. Those were VTR's. The VTR
23 nomenclature just kind of hung in there over the years
24 because it's just terminology that they use in the
25 business, so they called them VTR's. It could have been

1 any machine we had, but it was -- when you say see VTR
2 for this time frame, it is a VCR. Basically, they're
3 tape machines.

4 Q. Let me give you the log with that Tektronic
5 because then they talk about a reel-to-reel something,
6 and I thought reel-to-reel was something I have at home
7 in my basement. Hold on a second.

8 I'm giving the witness the log for August
9 21, 1989.

10 A. (Witness reviewed document.)

11 The reel-to-reel deck is not usable in
12 production because of its distorted output. Same
13 condition as last month. Equipment was the RCA RT21.
14 That was an audio deck, reel-to-reel audio deck we had.
15 It was primarily used in the Production Department, not
16 for on air at all.

17 Q. Like the radio stations used to have awhile
18 back?

19 A. Yes, sir. You get a higher fidelity sound
20 out of those, so we would use them from time to time in
21 production. Nowadays no one uses reel-to-reel tapes so
22 it's pretty much been phased out.

23 Q. Now, there are references in the logs to
24 switcher, the switcher.

25 A. Yes, sir.

6

1 Q. What is that?

2 A. The switcher is -- I described it earlier.

3 You have a row of buttons and each button has a

4 different input on it. Our tape machines -- back then,

5 HSN and the other satellite feeds would be assigned to

6 different buttons. The row of buttons on this one --

7 this switcher -- I think there's 12 of them. Each one

8 was assigned to a different source that I could take to

9 put on the air. The switcher would then -- the Master

10 Control Operator would then use the switcher to pick

11 which source they wanted to put on the air.

12 Q. It's part of the remote -- it's part of

13 the --

14 A. It's basically the heart of the Master

15 Control Operator system. Yes.

16 Q. That's what I was trying to say. Thank

17 you.

18 I see references to an editor, and in one

19 log that the editor ate a tape.

20 A. Yes, sir.

21 Q. What's an editor?

22 A. An editor takes two tape machines, VTR's,

23 and controls them exactly to the frame so they can edit.

24 They can put a raw tape in the left-hand machine, run

25 the tape, and then only record whatever sections of that

7

1 tape they want onto the right-hand machine. The editor
2 would control those functions and makes sure the tape
3 stops and starts exactly when they want to.

4 It's -- every station who does any kind of
5 commercial work, does their own production, has to have
6 editors to do this. It's an automatic system that
7 allows you to start and stop machines exactly so there's
8 no glitches between one cut to a next. So you could
9 have a cut of a person and then go to, say, a scenery
10 cut and you wouldn't have a jump in the video between
11 the two cuts. They'd smooth and mesh exactly. So it
12 would be a nice, smooth transition.

13 The editor was allowing us to do that.
14 That controls the timing functions when you're trying to
15 cut two pieces of tape together.

16 MR. BECHTEL: Off the record.

17 (Discussion was held off the record.)

18 BY MR. BECHTEL:

19 Q. The station was off the air for ten hours
20 on August 12, 1989. I'm going to show you the log and
21 ask you if you know anything about that.

22 A. (Witness reviewed document.)

23 (Short recess was taken.)

24 BY MR. BECHTEL:

25 Q. I see a log referring to the upper air deck

1 and the lower air deck. Does that make any sense to
2 you?

3 A. No, sir.

4 Q. I'm sorry?

5 A. Upper air deck and lower air deck.

6 Q. Yes.

7 A. All right. Okay. That's the Home Shopping
8 Network time. We had -- only had like three or four
9 decks for on air usage then; one was mounted above the
10 the other so there was an upper one and a lower one
11 before we numbered them.

12 Q. I have a log which refers to, quote, TBC-1,
13 dash, picture would not lock up, went to black. My
14 question is, what is a TBC-1?

15 A. TBC stands for Time Base Corrector. A
16 little earlier I was discussing how a switcher would
17 allow you to go from one source to another. Well, the
18 switcher helps you do that, but you need other equipment
19 to make things timed right. Each video frame has to
20 start at the same point in time. If one would start a
21 little later than the next and you went from one to the
22 other, you get a little glitch in the video. Time Base
23 Corrector would adjust that timing so they would line
24 up, and that -- that way when you switched from one
25 source to another, it was a nice, smooth transaction --

1 transition. Excuse me.

2 Q. Another log refers to Time Sharer, paren,
3 TS102, didn't take video when switching.

4 A. Yes.

5 Q. What's a Time Sharer?

6 A. The Time Sharer was a small version
7 switcher. It was a simple switcher that we used to
8 expand our other switcher. This thing would take ten
9 inputs, and you could press any button, and it would put
10 any one of those inputs on its output, of which that I
11 fed into the other switcher. It gave us more
12 capabilities, more inputs that we could use.

13 Q. I will show you the log dated July 14,
14 1990 -- correction, July 24, 1990, containing a notation
15 by Ms. Bradley about needing new machines, et cetera, et
16 cetera. The question is, do you have any recall or
17 knowledge of that matter?

18 A. (Witness reviewed document.)

19 Yes, sir. I'm not sure of this particular
20 incident, but during this time frame we had very, very
21 old tape recorders, and they were in constant need of
22 rebuilds. Financially, we weren't able to maybe keep up
23 on it the way we should have, and the tape machines were
24 very, very -- what's the word I want to use -- finicky;
25 sometimes they'd work, sometimes they'd jam, sometimes

7

1 the head clogs would happen too often.

2 We did need to invest in a substantial
3 amount of tape decks which we have -- obviously hadn't
4 done way -- a long time ago and we continuously do now.
5 But back during this time, I guess, they were in a
6 situation where they couldn't afford to get them fixed,
7 at least out of house. So we'd have to do in-house
8 whatever we could.

9 The VCR's were in bad shape at the time,
10 and we needed to upgrade, which we have done since.
11 They were just in bad shape, and you could make them
12 work but it's sort of like your favorite television set,
13 you might have to bang it on the side a little to make
14 it work. This was about the mode things were then.

15 Q. Do you remember when the upgrading
16 occurred?

17 A. Well, it's been an ongoing. It wasn't like
18 we went out and bought a whole room full of machines.
19 We'd get a couple. I'd put them where we really needed
20 them which would allow me to repair some of the other
21 or use them for parts to fix even other machines.

22 Since then, I now -- I probably have about
23 15 spare machines in the house which I use to keep us
24 running and up. We use the same machines we used then
25 or the same models. They're fairly easy to repair,

8

1 comparatively speaking to other decks. That's why we
2 stuck with them. And also, since we had some, we
3 figured if we bought more that way I'd always have spare
4 parts to fix the existing ones and vice versa.

5 So I'd say somewhere around '90 --
6 truthfully, I couldn't give you a date, but sometime
7 after that we did start purchasing new equipment and
8 have been doing since. Maybe not a huge amount at any
9 one time, but as we would find a good buy or something,
10 we would purchase some new equipment.

11 Q. New or used equipment?

12 A. A little of both. Generally, the tape
13 machines we would get used.

14 Q. Let me give you the log for August 6th and
15 a reference to you going to the transmitter.

16 A. (Witness reviewed document.)

17 Off air transmitter dropped off at 2030.
18 Back on air at 2355. I don't remember the exact
19 incident, but that's standard procedure; if the
20 transmitter goes off the air, they page me. I either
21 go -- after I ask them a few questions, I either go to
22 the Master Control area or the transmitter, whichever I
23 would think the problem was at and then try to correct
24 it.

25 Since this was three hours, three and a

1 half hours, it was probably a -- I would guess a water
2 leak at the transmitter.

3 Q. I'm looking at a reference, a sample
4 reference to a 5850 machine. Does that ring a bell with
5 you?

6 A. Yes, sir. 5850 is -- we're going back to
7 our VTR's, our Video Tape Recorders. That is the
8 highest -- the most complex model of the VCR's we used.
9 We had 5800's and 5850's primarily. 5850's could be
10 used anywhere, while the 5800's could only be used for
11 on air use. The 5850's could be used in the editor
12 system we discussed earlier. But, again, we quite often
13 used the 5850's for on air use, too.

14 Q. Let me give you the logs for September 20
15 and 21, 1990. There were several periods, brief periods
16 of being off the air and entries on both days regarding
17 that. And if you take a look at that and remember the
18 circumstances, I'd like you to recall what they were.

19 A. (Witness reviewed document.)

20 Okay. You're referring to the references
21 to going off the air?

22 Q. That's correct, sir.

23 A. Again, I couldn't honestly tell you what
24 the exact problem was, but I do know that during this
25 time frame we were experiencing transmitter problems.

1 Again, I may be off here a little bit on my time frames,
2 but I do know at one point I mentioned earlier something
3 called an Exiter. That's basically the heart of the
4 transmitter up there. It takes our video we send up and
5 amplifies it to a few watts where we can then send into
6 the big old amplifiers that send it out over the air.

7 That system was original equipment with our
8 transmitter. Our transmitter is a 70's vintage --
9 1970's era transmitter. The electronics was just
10 wearing out. We have, since then, replaced that
11 transmitter with a new ITS system. I do think it was a
12 little after this, actually. More like '92, '93, but it
13 might have been in this time frame. That could have
14 been the one problem.

15 And then the other problem which was a
16 continuing, ongoing problem with our transmitter being
17 the type it is, it uses water to cool it, steam to water
18 system. High heat, hot water going through tubing,
19 every six -- that's why every six months I must get in
20 there to replace rubber hosing, things like that,
21 because sometimes we develop leaks.

22 The transmitter is very hot, very active.
23 Water is constantly pumping through hoses. The hoses
24 become brittle and sometimes they break, and then we
25 develop leaks.

8

1 Generally speaking, when I was off the air
2 for something like that, you know, if they'd say, we're
3 off, and I was off for two or three hours, it's
4 generally a water leak or something like that, a cooling
5 problem I had. That was most of my problems up there.
6 Again, that's pretty much run of the mill for this type
7 of transmitter.

8 Q. How far away is the transmitter?

9

9 A. About -- as the crow flies, 1.9 miles.
10 It's about 3 miles to drive up to it. It's right on the
11 mountain behind us.

12 Q. Do you have a little office out there?

13 A. At the transmitter? No, just a big old
14 room with the transmitter in it. It's an old building.
15 It used to be the old WEEU television back in the 50's,
16 and we redid it for our systems.

17 Q. Let me give you October 14 through 17 and
18 the same question.

19 A. Generally speaking, if you saw us off the
20 air for one or two days in a row where it would happen
21 continually, it's probably a reoccurring problem that I
22 would either have to get parts for or that Exiter
23 problem again. It took us quite awhile to get a new
24 one.

25 Station is not running on full power.

1 Okay. That means we lost one of the output tubes.

2 Overload alarm on. When that says that,
3 that means -- I'm sorry. One reading here says,
4 transmitter off, on, and then in quotes has, overload
5 alarm on transmitter remote. The remote control
6 monitors certain safety features that the transmitter
7 has. One of them is an overload condition, meaning that
8 if the current starts pulling too much current or gets
9 too hot or -- it's a number of other things they look
10 at. Temperature, current drain, power output, if any of
11 these go outside of certain standards, we get alarms
12 which the Master Control will see and then call me in
13 on. That's primarily what the remote control is for.

14 This one here says, overload alarm. That
15 could have been caused -- let's see, what date was this?
16 October? It probably wasn't lightning by that point,
17 but generally it can be caused by any numerous things,
18 outside conditions could cause it, power fluctuations,
19 electrical storms. A lot of times it could be -- or I
20 should say, sometimes it could be a water clog in
21 something, a hose clogs and the tube gets too hot.

22 Again, these are all safety features to
23 prevent us from losing one of these -- they call them
24 Klystron tubes. They are the main power output tubes in
25 the transmitter, and they cost about 20 to 30 grand

1 each, so we obviously are somewhat concerned that we
2 don't burn them up by neglect.

3 So that's one reason you have the remote
4 control -- well, FCC is the main reason. They require
5 us to. But generally we -- like I said, we take our
6 readings once an hour just so we wouldn't have these
7 failures and destroy 20, \$30,000 of equipment in a snap.

8 FCC does only require us once every four
9 hours to monitor these readings. We do it every hour
10 primarily because I want it that way so I'd have some
11 warning if something's happening.

12 Q. When did you buy your new transmitter? Can
13 you remember that?

14 A. The Exiter?

15 Q. Was it a new Exiter, not a new transmitter?

16 A. Yes. It's the heart of the transmitter.
17 Basically it's a small transmitter. It transmits at
18 five watts. Then we take that signal and we wire it
19 into the big power amplifiers, the Klystron tubes. Then
20 from there we boost it up to about 60,000 watts and send
21 it out over the air.

22 The system that boosts it up to 60,000
23 watts is still in operation now. We've changed some
24 Klystron tubes over the years, you know, replacement
25 parts, but the transmitter is still the original.

1 Now, the Exiter is what we replaced, the
2 smaller heart of the system. And I just honestly cannot
3 tell you the dates we did that. I do remember driving
4 to Pittsburgh to pick it up. It was an overnight. We
5 went off the air, could not get back on. We were off
6 the air for approximately -- at least 24 hours. I'm
7 pretty sure it was in the early 90's, but I really
8 couldn't be much more accurate than that. I've done so
9 many things over the years, that it's kind of merged
10 into one.

11 Q. You're doing just fine.

12 A. On here it says, operating on low power.
13 That's what we do -- let's say if I lose a Klystron
14 tube -- we have three tubes -- I am able to go up,
15 reroute wiring and transmission lines to bring us on the
16 air at half power, meaning just using one tube rather
17 than all three.

18 At that point we run at 45 power until we
19 can get our signal back up and running. At half power
20 we can still reach 85 to 90 percent of the people who
21 receive us at full power.

22 I see here on October 16th after -- we went
23 off the power -- we went off and then back on the 15th,
24 and I think -- okay. Midnight on the 15th we went to
25 low power. 16th at midnight, Gib White, the Chief

1 Engineer I was telling you about, was up and it says,
2 Took us off the air at 1:02 to make repairs on the
3 transmitter. That means he went up at that time -- I'm
4 sure I was with him -- to work on the low -- in other
5 words, I couldn't get it fixed at high power. I could
6 not fix it at high power. In other words, I couldn't
7 get us back to high power. It would keep tripping us
8 off the air. So I put it on low power until Gib could
9 come in, and we could analyze the problem.

10 I see we were back on the air at 7:32. It
11 says, The signal is still poor. You know what, I may
12 not have been here then because this October 17th entry
13 says, Todd took us off the air at 7:26. Todd was the
14 Master Control Operator who was helping Gib out for
15 awhile when I wasn't there. So maybe I wasn't here for
16 this one. But I would have to -- October of '90. I
17 don't think I was here at this time.

18 Q. That's good enough. There was a similar
19 series of events shortly thereafter, October 22, 23, 24.
20 Take a quick look, but if you don't think you were
21 there, that can end my inquiry.

22 A. (Witness reviewed document.)

23 All I can say about this is, as you can
24 tell on two of these, it says, Gib took us off the air
25 at 00:19, 00:53 -- that's right after midnight both

1 nights -- which meant that he was coming back to work on
2 the problem. We were probably still at low power, and
3 he's coming down at midnight to take us off the air to
4 do the normal -- you know, to troubleshoot and figure
5 out what the problem was.

6 Again, I don't think I was here during this
7 time again. But if any time you see somebody taking it
8 off the air after midnight, you can generally figure it
9 was a scheduled time we were taken off.

10 MR. BECHTEL: Let's take a little break.

11 (Short recess was taken.)

12 BY MR. BECHTEL:

13 Q. November 2, 1990, EBS entry at 10:55.

14 A. Yes, sir. EBS tone did not go over the
15 air. On a -- there's two type of EBS tests. One is
16 when we receive a test from the local disseminating
17 group. In this case, I think it was WEEU. We monitor
18 their signals, and if they would send an EBS test, our
19 EBS equipment is supposed to automatically pick it up
20 and rebroadcast it.

21 Also, we send our own -- from time to time
22 we do our own in-house testing of the EBS. This is a
23 test, this is only a test, like you see on television.
24 That's what this was. I think what happened here was
25 that they sent the signal and our tone never went out

1 over the air. In other words, our equipment didn't
2 automatically rebroadcast it.

3 Again, since then we have replaced the EBS
4 system with a new system, and everything's fine. But it
5 was -- it's one of those things. It could have been an
6 antenna problem. It could have just been the fact that
7 they didn't even see it come in and rebroadcast it.

8 Q. December 10, 1990, off the air, Dave and
9 Engineer at transmitter to fix the problem.

10 A. (Witness reviewed document.)

11 Dave and Engineer up at transmitter to fix
12 the problem. We started at 8:51 and finished at 12:21.
13 What would you like to know about this? I can't
14 honestly say I remember the specific problem, but --

15 Q. If you don't recall, then just say you
16 don't recall.

17 A. Okay. I don't -- I mean, I don't.

18 MR. HUTTON: Make something up.

19 THE WITNESS: No, I wouldn't do that. As
20 you can see on the logs here, there are no entries for
21 that time frame.

22 BY MR. BECHTEL:

23 Q. January 23, 10:56 -- January 23, 1991,
24 10:56, another EBS entry.

25 A. Tone out problem, sent tape but no tone,

10

1 must be checked. Again, it was a similar problem to the
2 other one that I mentioned there about the EBS system.
3 Duration, one minute, but that's how long the test is.

4 I would imagine that this was an in-house
5 test that they would probably start the tone from our
6 source rather than receiving someone else's, and it
7 didn't go out. I'm sure it was corrected sometime after
8 that or we purchased a new one, but I think they
9 probably fixed it.

10 I seem to remember a time when we had some
11 problems with the EBS system, and we had to do a little
12 rewiring and repair to it. I think this might be the
13 time frame we're talking about.

14 Q. We may be there. April 11, 1991, EBS entry
15 4:20.

11
16 A. In response to H2o temperature alarm, MCO,
17 which is the Master Control Operator, mistakenly set off
18 EBS test signal by tripping output on EBS box instead of
19 clear button on remote control. That was an operator
20 error. They accidentally turned the EBS system on and
21 then had to call me to turn it off. Michael Keeting did
22 that. Operator error, they hit the wrong button.
23 That's really all that was.

24 Q. July 30, 1991, at 5:20, there is a
25 reference to a head problem and then it reads, Asked to