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ORIGINAL

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May 5, 2000

VIA COURIER

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

RECEIVED

MAY 05 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

Re: KRTV(TV), Great Falls, Montana
Facility ID No. 35567
Amendment to Petition to Amend the DTV Table of Allotments

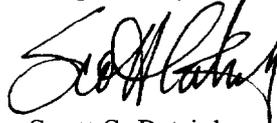
Dear Ms. Salas:

On behalf of KRTV Communications, Inc., licensee of KRTV(TV), Great Falls, Montana, we hereby amend its *Petition for Rule Making* proposing a substitution of channel 7 for channel 44 as the station's paired DTV allocation. The amendment is a "stamp-and-return" copy of a construction permit application for proposed digital facilities filed May 1, 2000, pursuant to the Community Broadcasters Protection Act of 1999, Pub. L. No. 106-113, 113 Stat. Appendix I, *codified at 47 U.S.C. § 336(f)*.

The initial petition was submitted on November 1, 1999 and has not yet appeared on public notice. The Commission has taken no formal action on the petition.

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

Respectfully submitted,



Scott S. Patrick

Enclosure

No. of Copies rec'd 015
List ABCDE

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May 1, 2000

VIA BERRY BEST COURIER

Federal Communications Commission
Mass Media Services
P.O. Box 358165
Pittsburgh, Pennsylvania 15251-5165

MAY 01 2000

STAMP & RETURN

Attention: Stop Code 1800E1
Television Branch

Re: **FACILITY ID No. 35567**
Television Station KRTV(TV), Great Falls, Montana
Application to Construct Digital Television Facilities

Dear Sir or Madam:

On behalf of KRTV Communications, Inc. ("KRTV"), licensee of Television Station KRTV(TV), Great Falls, Montana, we submit herewith, in triplicate, an application for authority to construct digital television facilities. The application reflects proposed operation on DTV Channel 7, the channel proposed in a Petition for Rule Making submitted November 1, 1999. This application is filed pursuant to the Community Broadcasters Protection Act of 1999, Pub. L. No. 106-113, 113 Stat. Appendix I, *codified at* 47 U.S.C. § 336(f). As set forth in the Petition for Rule Making, a substitute channel is sought to improve signal coverage for viewers in the Great Falls, Montana DMA, thereby ensuring effective service replication. A notice of intent to maximize facilities for the station was timely filed.

KRTV is filing the application for authority to construct on DTV Channel 7 despite that the Commission has not yet had the opportunity to act on the Petition for Rule Making. Accordingly, a request for waiver of 47 C.F.R. § 73.3572 is enclosed as Exhibit No. 1. KRTV requests that the Commission defer processing the application until such time as it has acted upon the Petition for Rule Making.

A check in the amount of \$725.00, accompanied by FCC Form 159, is enclosed to cover the filing fee.

Kindly let me know if you have any questions about this application.

Respectfully submitted,



Scott S. Patrick

Enclosure

Federal Communications Commission

May 1, 2000

Page 2 of 3

bcc (w/encl.): Mr. William L. Preston
Mr. Marlowe Rames
Mr. Andrew Suk
Elizabeth A. McGeary, Esq.

Federal Communications Commission
May 1, 2000
Page 3 of 3

bbcc (w/encl.):Ms. Susan E. Anderson

03105.0001.07.00.02 (RCO)

DCLIB02:354301-1|KRTV(TV) DTV maximization transmittal
letter

krtv 3 • Box 2989 • Great Falls, Montana 59403 • 406/453-2433

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY

INVOICE NUMBER	INVOICE DATE	VOUCHER #	P O NUMBER	DESCRIPTION	ACCOUNT #	AMOUNT
	4/26/00			FCC	88800	725.00

TOTAL NUMBER OF INVOICES:

TOTAL NET AMOUNT:

THIS CHECK IS PRINTED ON CHEMICAL REACTIVE PAPER WHICH CONTAINS A WATERMARK - HOLD UP TO A LIGHT TO VIEW



NationsBank of South Carolina, N.A.
Charleston, South Carolina

249039

67-448
539

PAY SEVEN HUNDRED TWENTY FIVE NO/100*****

NUMBER	DATE	AMOUNT
249039	4/26/00	\$725.00*

TO THE ORDER OF FCC

William L. Preston

⑈ 249039 ⑈ ⑆ 053904483 ⑆ 0010010767 ⑈

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION

APPROVED BY OMB 3060-0589

REMITTANCE ADVICE

PAGE NO. 1 OF 1

SPECIAL USE

FCC USE ONLY

(1) LOCKBOX # 358165

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)

Evening Post Publishing Company

(3) TOTAL AMOUNT PAID (dollars and cents)

\$ 725.00

(4) STREET ADDRESS LINE NO. 1

134 Columbus Street

(5) STREET ADDRESS LINE NO. 2

(6) CITY

Charleston

(7) STATE

SC

(8) ZIP CODE

29403-4800

(9) DAYTIME TELEPHONE NUMBER (include area code)

(843) 937-5630

(10) COUNTRY CODE (if not in U.S.A.)

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

SECTION B - APPLICANT INFORMATION

(11) APPLICANT NAME (if paying by credit card, enter name exactly as it appears on your card)

KRTV Communications, Inc.

(12) STREET ADDRESS LINE NO. 1

134 Columbus Street

(13) STREET ADDRESS LINE NO. 2

(14) CITY

Charleston

(15) STATE

SC

(16) ZIP CODE

29403-4800

(17) DAYTIME TELEPHONE NUMBER (include area code)

(843) 937-5630

(18) COUNTRY CODE (if not in U.S.A.)

COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C)

SECTION C - PAYMENT INFORMATION

(19A) FCC CALL SIGN/OTHER ID

KRTV (TV)

(20A) PAYMENT TYPE CODE (PTC)

M P T

(21A) QUANTITY

1

(22A) FEE DUE FOR (PTC) IN BLOCK 20A

\$ 725.00

FCC USE ONLY

(23A) FCC CODE 1

(24A) FCC CODE 2

(19B) FCC CALL SIGN/OTHER ID

(20B) PAYMENT TYPE CODE (PTC)

(21B) QUANTITY

(22B) FEE DUE FOR (PTC) IN BLOCK 20B

\$

FCC USE ONLY

(23B) FCC CODE 1

(24B) FCC CODE 2

(19C) FCC CALL SIGN/OTHER ID

(20C) PAYMENT TYPE CODE (PTC)

(21C) QUANTITY

(22C) FEE DUE FOR (PTC) IN BLOCK 20C

\$

FCC USE ONLY

(23C) FCC CODE 1

(24C) FCC CODE 2

(19D) FCC CALL SIGN/OTHER ID

(20D) PAYMENT TYPE CODE (PTC)

(21D) QUANTITY

(22D) FEE DUE FOR (PTC) IN BLOCK 20D

\$

FCC USE ONLY

(23D) FCC CODE 1

(24D) FCC CODE 2

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(25)

PAYER TIN

0 5 7 0 1 6 0 8 8 0

(26) COMPLETE THIS BLOCK ONLY IF APPLICANT NAME IN B-11 IS DIFFERENT FROM PAYER NAME IN A-2

APPLICANT TIN

0 9 3 0 9 3 4 4 1 3

SECTION E - CERTIFICATION

(27) CERTIFICATION STATEMENT

I, _____, Certify under penalty of perjury that the foregoing and supporting information

(PRINT NAME)

are true and correct to the best of my knowledge, information and belief. SIGNATURE _____

SECTION F - CREDIT CARD PAYMENT INFORMATION

(28)

MASTERCARD/VISA ACCOUNT NUMBER:

EXPIRATION DATE:

MASTERCARD

Grid for MASTERCARD/VISA ACCOUNT NUMBER

Grid for EXPIRATION DATE

MONTH YEAR

VISA

I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization(s) herein described.

AUTHORIZED SIGNATURE

DATE

FOR
FCC
USE
ONLY

FCC 301

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

FOR COMMISSION USE ONLY
FILE NO.

Section I - General Information

1. Legal Name of the Applicant KRTV Communications, Inc.		
Mailing Address P.O. Box 2989		
City Great Falls	State or Country (if foreign address) MT	ZIP Code 59403
Telephone Number (include area code) (406) 791-5400	E-Mail Address (if available)	
	Call Sign KRTV (TV)	Facility ID Number

2. Contact Representative (if other than applicant) Scott S. Patrick	Firm or Company Name Dow, Lohnes & Albertson, PLLC
Telephone Number (include area code) (202) 776-2885	E-Mail Address (if available) spatrick@dlalaw.com

3. If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114):

Governmental Entity Other _____

4. Application Purpose.

- | | |
|---|--|
| <input type="checkbox"/> New station | <input type="checkbox"/> Major Modification of construction permit |
| <input type="checkbox"/> Major Change in licensed facility | <input type="checkbox"/> Minor Modification of construction permit |
| <input checked="" type="checkbox"/> Minor Change in licensed facility | <input type="checkbox"/> Major Amendment to pending application |
| | <input type="checkbox"/> Minor Amendment to pending application |

a. File number of original construction permit: _____ N/A

b. Service Type: AM FM TV DTV

c. Community of License:	City Great Falls	State MT
--------------------------	---------------------	-------------

d. Facility Type: Main Auxiliary

If an amendment, submit as an Exhibit a listing by Section and Question Number of the portions of the pending application that are being revised.

Exhibit No.

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

Section II - Legal

1. **Certification.** Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets. Yes No

2. **Parties to the Application.**

a. List the applicant, and, if other than a natural person, its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. If a corporation or partnership holds an attributable interest in the applicant, list separately its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. Create a separate row for each individual or entity. Attach additional pages if necessary.

- | | |
|---|--|
| (1) Name and address of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners. | (2) Citizenship. |
| | (3) Positional Interest: Officer, director, general partner, limited partner, LLC member, etc. |
| | (4) Percentage of votes. |
| | (5) Percentage of equity. |

(1)	(2)	(3)	(4)	(5)

b. Applicant certifies that equity interests not set forth above are non-attributable. Yes No N/A See Explanation in Exhibit No.

3. **Other Authorizations.** List call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest. Exhibit No. N/A

4. **Multiple Ownership.**

a. Applicant certifies that the proposed facility: Yes No See Explanation in Exhibit No.

1. complies with the Commission's multiple and cross-ownership rules;
2. does not present an issue under the Commission's cross-interest policy;
3. does not present an issue under the Commission's policies relating to media interests of immediate family members;
4. complies with the Commission's policies relating to future ownership interests; and
5. complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors.

Section II - Legal

- b. **Radio Applicants Only.** If the grant of the application would result in certain principal community service contour overlaps, see Local Radio Ownership Worksheet, Question 1, applicant certifies that all relevant information has been placed in public inspection file(s) and submitted to the Commission. Yes No N/A See Explanation in Exhibit No.
5. **Character Issues.** Applicant certifies that neither applicant nor any party to the application has or has had any interest in, or connection with: Yes No See Explanation in Exhibit No.
- a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or
- b. any pending broadcast application in which character issues have been raised.
6. **Adverse Findings.** Applicant certifies that, with respect to the applicant and any party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination. Yes No See Explanation in Exhibit No.
7. **Alien Ownership and Control.** Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments. Yes No See Explanation in Exhibit No.
8. **Program Service Certification.** Applicant certifies that it is cognizant of and will comply with its obligations as a Commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area. Yes No
9. **Local Public Notice.** Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580. Yes No
10. **Auction Authorization.** If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable. Yes No N/A
- Exhibit No.
- An exhibit is required unless this question is inapplicable.**
11. **Anti-Drug Abuse Act Certification.** Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862. Yes No

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing William L. Preston	Typed or Printed Title of Person Signing President
Signature 	Date 4/28/2006

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT
 (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT
 (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

SECTION III PREPARER'S CERTIFICATION

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name Warren M. Powis Cohen, Dippell and Everist, P.C.		Relationship to Applicant (e.g., Consulting Engineer) Consulting Engineer	
Signature <i>Warren M. Powis</i>		Date April 28, 2000	
Mailing Address 1300 L Street, N.W., Suite 1100			
City Washington		State or Country (if foreign address) D.C.	ZIP Code 20005
Telephone Number (include area code) (202) 898-0111		E-Mail Address (if available) cdepc@worldnet.att.net	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT
(U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

SECTION III-D - DTV Engineering

Complete Questions 1-5 of the Certification Checklist and provide all data and information for the proposed facility, as requested in Technical Specifications, Items 1-13.

Certification Checklist: A correct answer of "Yes" to all of the questions below will ensure an expeditious grant of a construction permit. However, if the proposed facility is located within the Canadian or Mexican borders, coordination of the proposal under the appropriate treaties may be required prior to grant of the application. An answer of "No" will require additional evaluation of the applicable information in this form before a construction permit can be granted.

1. The proposed DTV facility complies with 47 C.F.R. Section 73.622 in the following respects:

- (a) It will operate on the DTV channel for this station as established in 47 C.F.R. Section 73.622. Yes No
- (b) It will operate from a transmitting antenna located within 5.0 km (3.1 miles) of the DTV reference site for this station as established in 47 C.F.R. Section 73.622. Yes No
- (c) It will operate with an effective radiated power (ERP) and antenna height above average terrain (HAAT) that do not exceed the DTV reference ERP and HAAT for this station as established in 47 C.F.R. Section 73.622. Yes No

2. The proposed facility will not have a significant environmental impact, including exposure of workers or the general public to levels of RF radiation exceeding the applicable health and safety guidelines, and therefore will not come within 47 C.F.R. Section 1.1307. Yes No

Applicant must **submit the Exhibit** called for in Item 13.

3. Pursuant to 47 C.F.R. Section 73.625, the DTV coverage contour of the proposed facility will encompass the allotted principal community. Yes No

4. The requirements of 47 C.F.R. Section 73.1030 regarding notification to radio astronomy installations, radio receiving installations and FCC monitoring stations have either been satisfied or are not applicable. Yes No

5. The antenna structure to be used by this facility has been registered by the Commission and will not require reregistration to support the proposed antenna, OR the FAA has previously determined that the proposed structure will not adversely effect safety in air navigation and this structure qualifies for later registration under the Commission's phased registration plan, OR the proposed installation on this structure does not require notification to the FAA pursuant to 47 C.F.R. Section 17.7. Yes No

SECTION III-D DTV Engineering

TECHNICAL SPECIFICATIONS

Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.

TECH BOX

1. Channel Number: DTV 7 Analog TV, if any 3

2. Zone: I II III

3. Antenna Location Coordinates: (NAD 27)

47 ° 32 ' 09 " N S Latitude
111 ° 17 ' 02 " E W Longitude

4. Antenna Structure Registration Number: 1000138

Not applicable FAA Notification Filed with FAA

5. Antenna Location Site Elevation Above Mean Sea Level: 1079.9 meters

6. Overall Tower Height Above Ground Level: 169.8 meters

7. Height of Radiation Center Above Ground Level: 155.1 meters

8. Height of Radiation Center Above Average Terrain: 180.0 meters

9. Maximum Effective Radiated Power (average power): 160.0 kW

10. Antenna Specifications:

a. Manufacturer	Dielectric	Model	TW-12B
-----------------	------------	-------	--------

b. Electrical Beam Tilt: 0.75 degrees Not Applicable

c. Mechanical Beam Tilt: _____ degrees toward azimuth _____ degrees True Not Applicable

Attach as an Exhibit all data specified in 47 C.F.R. Section 73.625(c). Exhibit No.
E

d. Polarization: Horizontal Circular Elliptical

TECH BOX

e. Directional Antenna Relative Field Values: Not applicable (Nondirectional)
 Rotation: _____ ° No rotation

Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value
0		60		120		180		240		300	
10		70		130		190		250		310	
20		80		140		200		260		320	
30		90		150		210		270		330	
40		100		160		220		280		340	
50		110		170		230		290		350	
Additional Azimuths											

If a directional antenna is proposed, the requirements of 47 C.F.R. Section 73.625(c) must be satisfied. **Exhibit required.**

Exhibit No.

11. Does the proposed facility satisfy the interference protection provisions of 47 C.F.R. Section 73.623(a)? (Applicable only if **Certification Checklist** Items 1(a), (b), or (c) are answered "No.") Yes No

If "No," attach as an Exhibit justification therefor, including a summary of any related previously granted waivers.

Exhibit No.

12. If the proposed facility will not satisfy the coverage requirement of 47 C.F.R. Section 73.625, attach as an Exhibit justification therefor. (Applicable only if **Certification Checklist** Item 3 is answered "No.")

Exhibit No.

13. **Environmental Protection Act. Submit in an Exhibit** the following:

Exhibit No. **E**

a. If **Certification Checklist** Item 3 is answered "Yes," a brief explanation of why an Environmental Assessment is not required. Also describe in the Exhibit the steps that will be taken to limit RF radiation exposure to the public and to persons authorized access to the tower site.

By checking "Yes" to **Certification Checklist** Item 3, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.

If **Certification Checklist** Item 3 is answered "No," an Environmental Assessment as required by 47 C.F.R. Section 1.1311.

PREPARER'S CERTIFICATION IN SECTION III MUST BE COMPLETED AND SIGNED.

ENGINEERING STATEMENT
RE DTV BROADCAST ENGINEERING DATA
ON BEHALF OF
KRTV COMMUNICATIONS, INC.
KRTV(TV), GREAT FALLS, MONTANA
CHANNEL 7 160 KW ERP 180 METERS

APRIL 2000

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)

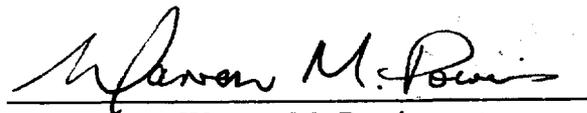
Warren M. Powis, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer of the University of Canterbury, New Zealand, a Registered Professional Engineer in the District of Columbia, the State of Virginia, the State of South Carolina, and Vice 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; previously employed for 15 years with the New Zealand Broadcasting Corporation; a member of the Institution of Professional Engineers New Zealand (IPENZ), the Association of Federal Communications Consulting Engineers (AFCCE), and the National Society of Professional Engineers (NSPE).

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

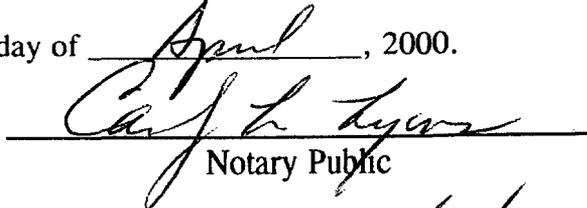
That the attached engineering report was prepared by him or under his supervision and direction and,

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.



Warren M. Powis
District of Columbia
Professional Engineer
Registration No. 8339

Subscribed and sworn to before me this 28th day of April, 2000.


Notary Public

My Commission Expires: 2/28/2003

This engineering statement has been prepared on behalf of KRTV Communications, Inc., licensee of KRTV(TV), Great Falls, Montana. The purpose of this engineering statement is to accompany its request for digital television ("DTV"), specifically that data required in FCC Form 301, Section III-D.

KRTV Communications, Inc. operates Television Station KRTV(TV) on NTSC Television Channel 3 with a maximum visual effective radiated power (ERP) of 100 kW and an antenna height above average terrain (HAAT) of 180 meters. KRTV(TV) has been allocated DTV Channel 44 with facilities of 1000 kW and HAAT of 180 meters in the revised DTV Table of Allotments.¹ KRTV Communications, Inc. filed a rule making request for Channel 7 in lieu of the Table B allotment. KRTV(TV) proposes to construct on Channel 7 DTV facilities of 160 kW non-directional (horizontal polarization) and at a height above average terrain of 180 meters and is an application to "maximize" the KRTV-DT facilities in accordance with the Community Broadcasters Protection Act..

The engineering data has been submitted on Section III-D of Form 301.

Existing KRTV(TV) Tower

The existing KRTV(TV) tower will be utilized to support the KRTV-DT antenna. The structure height will remain unchanged.. The tower registration is 1000138.

The geographic coordinates of this tower are as follows:

North Latitude: 47° 32' 09"

West Longitude: 111° 17' 02"

NAD-27

¹In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service", MM Docket No. 87-286, Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order (FCC 98-24), 2/12/98, DTV Table of Allotments, p. B-23.

Non-Directional Antenna

A Dielectric, Type TW-12B (or equivalent) non-directional antenna, with 0.75° electrical beam tilt, will be installed. The vertical plane pattern and other exhibits required by Section 73.625(c) are attached in Exhibit E-2.

Power Data

Effective Radiated Power	160 kW or 22.04 dBk
Antenna Type	Dielectric, Type TW-12B (or equivalent)

Elevation Data

Elevation of site above mean sea level	1079.9 meters
Overall height above ground of the existing antenna structure (including beacon)	169.8 meters
Overall height above mean sea level of existing tower (including beacon)	1249.7 meters
Center of radiation of Channel 7 antenna above ground	155.1 meters
Center of radiation of Channel 7 antenna above mean sea level	1235 meters
Antenna height above average terrain	180 meters

NOTE: Slight height differences result due to conversion to metric.

Allocation

An allocation study from the proposed site has been performed

Interference Analysis

A study of predicted interference caused by the proposed KRTV-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 km² using 3-second terrain data sampled approximately every 0.1 km at one degree azimuth intervals with 1990 census centroids. All studies are based upon data in the update of the FCC's engineering data base dated December 30, 1999. Table I provides a summary of that analysis.

Other Licensed and Broadcast Facilities

There are no AM stations within 3.2 km of the proposed KRTV(TV) tower site. There are no FM and one other broadcast stations operating within 100 meters of the proposed site.

No adverse technical effect is anticipated by the proposed DTV operation to any other FCC licensed facility. If required, the licensee of KRTV-DT will install filters or take other measures as necessary to resolve the problem.

Radio Frequency Field Level

The applicant proposes to mount the new DTV antenna for Station KRTV-DT on an existing tower.

Radio Frequency Field Level² at the Base of the Existing Tower:

KTRV-DT DTV Facility

Channel 7 Freq: 174-180 MHz Range
ERP = 160,000 watts
Polarization = Horizontal
RCAGL-2 meters = 153.1 meters

KTRV(TV) proposes to utilize an Dielectric, Type TW-12B antenna with 0.75° electrical beam tilt. The manufacturers vertical plane pattern is included in Appendix A. Based on this plot, the field factor will be less than 0.062 at any angle greater than 30 degrees below the horizon. A value of 0.062 will be used in the calculation.

$$S = 0.88 \text{ uW/cm}^2$$

Therefore, at the base of the existing tower, KRTV-DT contributes 0.88 uW/cm² at 2 meters above the ground.

The limit for an uncontrolled environment is 200 uW/cm² for a station broadcasting on 177 MHz.

Therefore:

The proposed KTRV(TV) DTV facility will contribute less than 1% RFF for an uncontrolled environment two meters above the ground at the base of the tower site.

2("RFF").

Finally, provisions will be made to reduce power or to terminate the transmitter emissions as appropriate when it is necessary for authorized personnel to access the site. KRTV(TV) will coordinate to ensure that workers will not be subjected to RFF levels in excess of the current FCC guidelines listed in OET Bulletin No. 65, dated August 1997.

Environmental Assessment

An environmental assessment (EA) is categorically excluded under Section 1.1307 of the FCC Rules and Regulations since the licensee indicates:

- (a)(1) The existing tower is not located in an officially designated wilderness area.
- (a)(2) The existing tower is not located in an officially designated wildlife preserve.
- (a)(3) The proposed facilities will not affect any listed threatened or endangered species or habitats.
- (a)(3)(ii) The proposed facilities will not jeopardize the continued existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification of proposed critical habitats.
- (a)(4) The proposed facilities will not affect any known districts, sites, buildings, structures, or objects significant in American history, architecture, archaeology, engineering, or culture.
- (a)(5) The proposed facilities are not located near any known Indian religious sites.
- (a)(6) The proposed facilities are not located in a flood plain.
- (a)(7) The installation of the DTV facilities on the existing tower will not involve a significant change in surface features of the ground in the vicinity of the tower.
- (a)(8) It is not proposed to change the aeronautical lighting unless required by the FAA.

- (b) **Workers and the general public will not be subjected to RFF levels in excess of the current FCC guidelines in accordance with OET Bulletin No. 65, Edition 97-01, dated August 1997 and Supplement A. A fence with a locked gate encloses the tower.**

TABLE 1
POTENTIAL INTERFEREES OF
KRTV-DT, GREAT FALLS, MONTANNA
CHANNEL 7, 160 KW, 180 METERS
APRIL 2000

<u>NTSC</u>	<u>Channel</u>	<u>City/State</u>	<u>Power kW</u>	<u>Bearing/Distance from KRTV-DT</u>	<u>New Interference</u>
KCTZ(TV)	7	Bozeman, MT	43.7	171.1°/209.5 km	0.2%
KPAX-TV	8	Missoula, MT	275	255.4°/214.2 km	0.0%

COHEN, DIPPELL AND EVERIST, P. C.

* DTV Stations with an ERP of less than 200 kW are studied at 200 kW

COHEN, DIPPELL AND EVERIST, P. C.

TABLE II
DTV COVERAGE DATA
KRTV-DT, GREAT FALLS, MONTANA
APRIL 2000

<u>Radial</u> N ° E,T	<u>Effective*</u> <u>Height</u> meters	<u>Distance to</u> <u>36Bu</u> <u>F(50,90)</u> <u>Contour</u> km
0	132	99.8
45	204	108.6
90	221	110.2
135	194	107.6
180	196	107.8
225	160	103.3
270	195	107.7
315	139	100.7

*3-second data base.

DTV Channel 7 (174-180 MHz)
Average Elevation 3 to 16 km 1055 meters AMSL
Center of Radiation 1235 meters AMSL
Antenna Height Above Average Terrain 180 meters
Site Elevation 1079.9 meters AMSL
Effective Radiated Power 160 kW

(NAD-27)

North Latitude: 47° 32' 09"
West Longitude: 111° 17' 02"

COHEN, DIPPELL AND EVERIST, P. C.

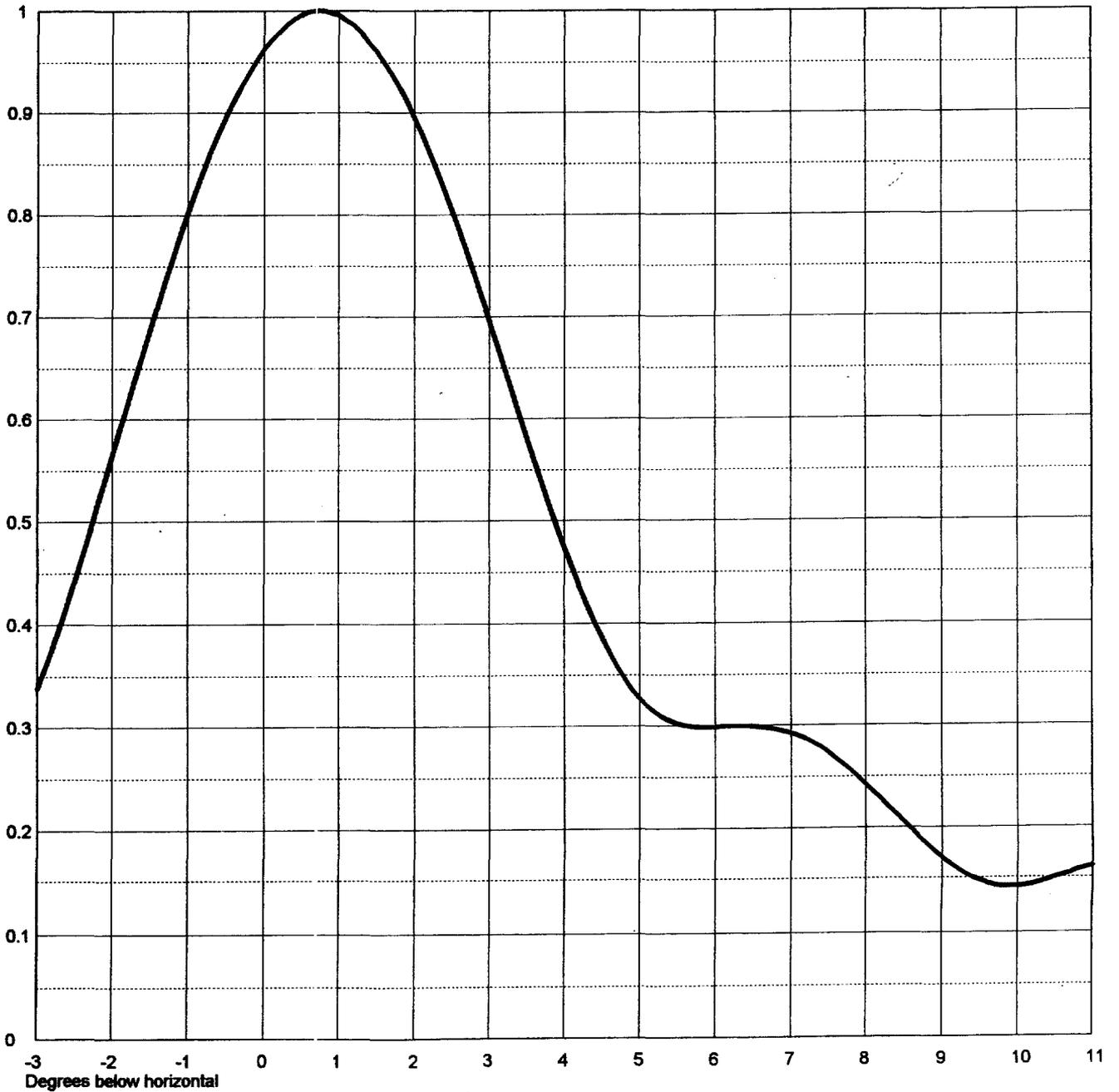
ANTENNA DATA



Date 28 Apr 2000
Call Letters KRTV-DT Channel 7
Location Great Falls, MT
Customer
Antenna Type TW-12B

ELEVATION PATTERN

RMS Gain at Main Lobe	12.0 (10.79 dB)	Beam Tilt	0.75 Degrees
RMS Gain at Horizontal	11.1 (10.45 dB)	Frequency	177.00 MHz
Calculated / Measured	Calculated	Drawing #	25W12007



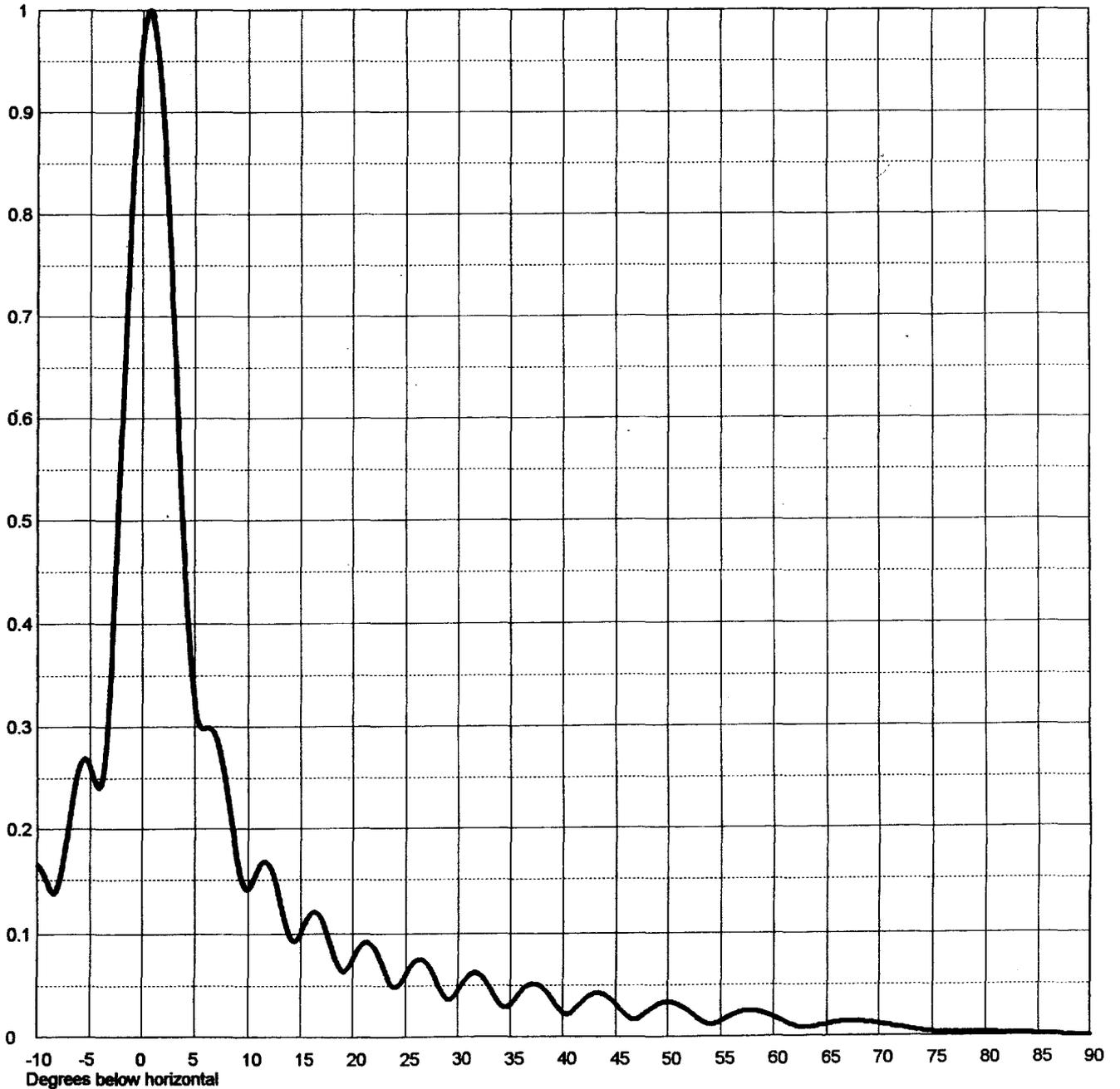
Remarks:



Date 28 Apr 2000
Call Letters KRTV-DT Channel 7
Location Great Falls, MT
Customer
Antenna Type TW-12B

ELEVATION PATTERN

RMS Gain at Main Lobe	12.0 (10.79 dB)	Beam Tilt	0.75 Degrees
RMS Gain at Horizontal	11.1 (10.45 dB)	Frequency	177.00 MHz
Calculated / Measured	Calculated	Drawing #	25W12007-90



Remarks:



Exhibit No.
E-

Date 28 Apr 2000
 Call Letters KRTV-DT Channel 7
 Location Great Falls, MT
 Customer
 Antenna Type TW-12B

TABULATION OF ELEVATION PATTERN

Elevation Pattern Drawing # 25W12007-90

Angle	Field										
-10.0	0.165	2.4	0.824	10.6	0.152	30.5	0.053	51.0	0.031	71.5	0.009
-9.5	0.157	2.6	0.784	10.8	0.157	31.0	0.059	51.5	0.028	72.0	0.008
-9.0	0.145	2.8	0.741	11.0	0.161	31.5	0.062	52.0	0.025	72.5	0.007
-8.5	0.138	3.0	0.697	11.5	0.167	32.0	0.061	52.5	0.021	73.0	0.006
-8.0	0.146	3.2	0.651	12.0	0.164	32.5	0.056	53.0	0.017	73.5	0.005
-7.5	0.171	3.4	0.606	12.5	0.152	33.0	0.049	53.5	0.014	74.0	0.005
-7.0	0.205	3.6	0.560	13.0	0.133	33.5	0.040	54.0	0.012	74.5	0.004
-6.5	0.237	3.8	0.516	13.5	0.112	34.0	0.032	54.5	0.013	75.0	0.004
-6.0	0.260	4.0	0.475	14.0	0.097	34.5	0.028	55.0	0.015	75.5	0.003
-5.5	0.269	4.2	0.436	14.5	0.093	35.0	0.030	55.5	0.017	76.0	0.003
-5.0	0.262	4.4	0.401	15.0	0.100	35.5	0.036	56.0	0.020	76.5	0.003
-4.5	0.247	4.6	0.371	15.5	0.111	36.0	0.043	56.5	0.022	77.0	0.003
-4.0	0.241	4.8	0.347	16.0	0.119	36.5	0.048	57.0	0.023	77.5	0.003
-3.5	0.267	5.0	0.327	16.5	0.120	37.0	0.051	57.5	0.024	78.0	0.003
-3.0	0.338	5.2	0.314	17.0	0.115	37.5	0.051	58.0	0.024	78.5	0.003
-2.8	0.377	5.4	0.305	17.5	0.102	38.0	0.048	58.5	0.024	79.0	0.003
-2.6	0.420	5.6	0.300	18.0	0.087	38.5	0.043	59.0	0.022	79.5	0.003
-2.4	0.466	5.8	0.298	18.5	0.072	39.0	0.036	59.5	0.021	80.0	0.003
-2.2	0.515	6.0	0.298	19.0	0.064	39.5	0.029	60.0	0.019	80.5	0.003
-2.0	0.564	6.2	0.299	19.5	0.066	40.0	0.023	60.5	0.016	81.0	0.003
-1.8	0.614	6.4	0.299	20.0	0.076	40.5	0.022	61.0	0.014	81.5	0.002
-1.6	0.663	6.6	0.298	20.5	0.085	41.0	0.025	61.5	0.012	82.0	0.002
-1.4	0.711	6.8	0.296	21.0	0.091	41.5	0.030	62.0	0.010	82.5	0.002
-1.2	0.757	7.0	0.292	21.5	0.092	42.0	0.035	62.5	0.008	83.0	0.002
-1.0	0.801	7.2	0.286	22.0	0.087	42.5	0.039	63.0	0.008	83.5	0.002
-0.8	0.841	7.4	0.278	22.5	0.076	43.0	0.042	63.5	0.008	84.0	0.002
-0.6	0.878	7.6	0.267	23.0	0.064	43.5	0.042	64.0	0.009	84.5	0.002
-0.4	0.911	7.8	0.256	23.5	0.053	44.0	0.040	64.5	0.010	85.0	0.001
-0.2	0.938	8.0	0.242	24.0	0.048	44.5	0.037	65.0	0.011	85.5	0.001
0.0	0.962	8.2	0.228	24.5	0.052	45.0	0.032	65.5	0.012	86.0	0.001
0.2	0.979	8.4	0.213	25.0	0.061	45.5	0.026	66.0	0.013	86.5	0.001
0.4	0.992	8.6	0.198	25.5	0.069	46.0	0.021	66.5	0.014	87.0	0.001
0.6	0.999	8.8	0.183	26.0	0.074	46.5	0.017	67.0	0.014	87.5	0.000
0.8	1.000	9.0	0.170	26.5	0.075	47.0	0.017	67.5	0.014	88.0	0.000
1.0	0.996	9.2	0.159	27.0	0.071	47.5	0.020	68.0	0.014	88.5	0.000
1.2	0.986	9.4	0.150	27.5	0.063	48.0	0.024	68.5	0.014	89.0	0.000
1.4	0.970	9.6	0.144	28.0	0.053	48.5	0.027	69.0	0.013	89.5	0.000
1.6	0.950	9.8	0.141	28.5	0.042	49.0	0.031	69.5	0.013	90.0	0.000
1.8	0.925	10.0	0.141	29.0	0.036	49.5	0.033	70.0	0.012		
2.0	0.895	10.2	0.143	29.5	0.038	50.0	0.033	70.5	0.011		
2.2	0.861	10.4	0.147	30.0	0.045	50.5	0.033	71.0	0.010		

Remarks:

EXHIBIT 1

Request for Waiver of 47 C.F.R. § 73.3572

By this application, KRTV Communications, Inc. ("KRTV") seeks authorization for the construction of KRTV-DT (the "Station"). KRTV has submitted a Petition for Rule Making seeking to substitute channel 7 as the Station's paired DTV allocation for the transition period in lieu of channel 44, as originally allotted. As explained below, KRTV is submitting the instant application to ensure protection of the Station's maximized digital facilities on the proposed channel. Accordingly, waiver of Section 73.3572 of the Commission's rules (47 C.F.R. § 73.3572) is hereby requested to the extent necessary for the Commission to process the application. KRTV requests that the Commission defer processing the application until such time as it has acted upon the previously submitted Petition for Rule Making.

On November 29, 1999, the President signed into law the Community Broadcasters Protection Act of 1999 ("CBPA") creating a new Class A television service and according existing low power television ("LPTV") stations "primary" status *vis-à-vis* full power stations if they met certain minimum programming requirements.¹ However, the CBPA also provided that a full power station would be permitted to "maximize" its DTV facilities irrespective of interference with the new Class A stations so long as the station complied with certain procedures and filed a maximization application on or before May 1, 2000.² To resolve any "technical problems" that may obstruct maximization, the CBPA also allows such a station to change its DTV channel assignment without protecting Class A stations.³

The Commission has not yet had the opportunity to act on KRTV's Petition for Rule Making to substitute a new DTV allotment for the Station. However, it is not clear that maximized facilities proposed in applications submitted after the statutory deadline of May 1, 2000 have certain protection against Class A stations. If the Station were to wait to submit the instant construction permit application until after the Commission had acted upon the Petition for Rule Making, it is possible that the Station's maximized service area would not be protected. In light of (1) Congress' intention to provide DTV broadcasters with a full opportunity to maximize; (2) Congress' intention to have the specifics of such maximization known by a date certain through the filing of an application on or before May 1, 2000; and (3) the fact that the CBPA does not explicitly account for the circumstances described herein, KRTV accordingly is requesting waiver of Section 73.3572 to permit the submission of this construction permit application for the Station. Grant of the waiver request is in the public interest because it will allow the Commission to authorize maximized facilities for the Station upon grant of the requested channel substitution.

¹ Community Broadcasters Protection Act of 1999, Pub. L. No. 106-113, 113 Stat. Appendix I at pp. 1501A-594 – 1501A-598 (1999), *codified at* 47 U.S.C. § 336(f).

² 47 U.S.C. § 336(f)(1)(D).

³ *Id.*