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OCT 25 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

October 25, 2000

812-0474

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Magalie R. Salas, Esquire  
Secretary  
Federal Communications Commission  
Room TW-B204  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: Amendment of Section 73.622(b),  
Table of Allotments, Digital  
Television Broadcast Stations  
MM Docket No. 00-138; RM-9896

Dear Ms. Salas:

Transmitted herewith on behalf of Guenter Marksteiner are an original and four copies of his reply comments filed in the above-referenced allotment rulemaking proceeding.

Should any questions arise concerning this matter, please communicate directly with this office.

Very truly yours,  
FLETCHER, HEALD & HILDRETH, P.L.C.



Andrew S. Kersting  
Counsel for Guenter Marksteiner

Enclosure

cc (w/ encl.): Certificate of Service (by hand & first-class mail)

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BEFORE THE

# Federal Communications Commission

WASHINGTON, D.C. 20554

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OCT 25 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
Amendment of Section 73.622(b),	)	MM Docket No. 00-138
Table of Allotments,	)	RM-9896
Digital Television Broadcast Stations	)	
(Boca Raton, Florida)	)	

To: Chief, Video Services Division

## REPLY COMMENTS

Gunter Marksteiner ("Marksteiner"), by counsel and pursuant to the Commission's rules, hereby submits his comments in response to the comments filed October 10, 2000, by Sherjan Broadcasting Co., Inc. ("Sherjan"), in the above-captioned proceeding. In support of these reply comments, the following is stated:

### **I. Introduction.**

In the *Notice of Proposed Rule Making*, DA 00-1797 (released August 18, 2000) ("*NPRM*"), the Commission proposed to substitute DTV Channel 40\* for DTV Channel 44\* at Boca Raton, Florida.<sup>1</sup> On October 10, 2000, Sherjan filed comments opposing the proposed reallocation, claiming that the proposed substitution of DTV Channel 40\* for DTV Channel 44\* at Boca Raton would cause prohibited interference to Class A Television Station WJAN-CA, Channel 41, Miami, and LPTV Station WFUN-LP, Channel 48, Miami-Ft. Lauderdale.<sup>2</sup> Sherjan Comments, p. 5. As

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<sup>1</sup> All communities referenced herein are located in the state of Florida.

<sup>2</sup> Station WFUN-LP appeared on the Commission's list of those LPTV stations which were found eligible for Class A status. *See Public Notice, Certificates of Eligibility for Class A* (continued...)

demonstrated herein, however, the proposed substitution of DTV Channel 40\* for DTV Channel 44\* at Boca Raton would cause only negligible interference to Station WJAN-CA, Miami, and would not cause any interference to Station WFUN-LP, Miami-Ft. Lauderdale.

**II. The Proposed Substitution of DTV Channel 40\* for DTV Channel 44\* at Boca Raton Would Not Cause Impermissible Interference to Any Authorized Television Station.**

A. The Proposed Reallocation Would Cause Only Negligible Interference to Station WJAN-CA.

As indicated in Figure 1 to the attached engineering statement of Joseph M. Davis, P.E., the proposed Channel 40\* DTV facility at Boca Raton would result in predicted prohibited contour overlap under Section 73.623(c)(5)(i) of the Commission's rules with respect to first-adjacent channel Station WJAN-CA. However, Station WZVN-DT, Channel 41, Naples, filed a maximization application on May 1, 2000 (File No. BMPCDT-20000501ACP). The proposed interfering contour of Station WZVN-DT overlaps the entire 74 dBu service contour of Station WJAN-CA.<sup>3</sup> Because the proposed area of overlap encompasses the entire WJAN-CA service area, the smaller area of overlap that would result from the proposed substitution of DTV Channel 40\* for DTV Channel 44\* at Boca Raton would not increase the predicted interference to WJAN-CA on strictly a contour overlap basis. *See Engineering Statement, p. 2.*

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<sup>2</sup>(...continued)

*Television Station Status*, DA 00-1224 (released June 2, 2000).

<sup>3</sup> *See Engineering Statement, p. 1 and Figure 1.* Station WZVN-DT filed a timely notice of intent to maximize its DTV facility, and, as stated above, filed its maximization application by the May 1, 2000, deadline. Thus, the pending maximization proposal of Station WZVN-DT is not required to protect the Class A facilities of Station WJAN-CA. *See 47 U.S.C. §336(f)(7)(A)(ii)(IV).*

More importantly, however, Section 73.623(c)(5)(iii) provides that, in lieu of showing predicted interference on the basis of contour protection, a DTV proponent may demonstrate interference protection to a Class A station through the use of Longley-Rice terrain dependent propagation methods, as outlined in the Commission's Office of Engineering and Technology Bulletin Number 69, *Longley-Rice Methodology for Evaluating TV Coverage and Interference*, July 2, 1997 ("OET Bulletin 69"). Through the use of Longley-Rice methodology, Mr. Davis' attached engineering statement demonstrates that the predicted interference to WJAN-CA from the pending reallocation proposal for WPPB-DT would affect only 74.6 square kilometers and 552 persons. *See* Engineering Statement, p. 2. This amounts only to 0.03% of WJAN-CA's service area population (encompassing 1,691,669 persons), which is substantially less than the Commission's 0.5% rounding tolerance. *Id.* and Figure 1A. Therefore, the predicted interference to Station WJAN-CA is substantially less than that suggested by Sherjan, and is well within the Commission's rounding tolerance concerning DTV to Class A interference protection. *Id.* at 3.

Furthermore, the proposed operation of WPPB-DT on Channel 40\* at Boca Raton would result in less interference than if the station were to operate with the same technical facilities on Channel 44\*. As demonstrated in petitioners' Joint Petition for Rulemaking,<sup>4</sup> if the same proposed omnidirectional facility of 1,000 kilowatts were to operate on DTV Channel 44\*, rather than DTV Channel 40\*, there would be new interference to 27,256 people (0.7%) within the service area of the construction permit facility of Station WHFT(TV), Channel 45, Miami (*see* File No. BPCT-931220KG). Although this level of interference falls within the Commission's 2% *de minimis* limit,

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<sup>4</sup> *See* Joint Petition for Rulemaking, filed February 8, 2000, by Palmetto Broadcasters Associated for Communities, Inc. and Channel 63 of Palm Beach, Inc., Engineering Statement, p. 2.

it is substantially more interference (27,256 persons v. 552 persons) than would result if the proposed reallocation were to be adopted and Station WPPB-DT were to operate on DTV Channel 40\* at Boca Raton. Therefore, for this additional reason, the proposed substitution of DTV Channel 40\* for DTV Channel 44\* at Boca Raton should be adopted.

B. The Proposed Reallocation Would Not Cause Any Interference to Station WFUN-LP.

As indicated in the attached engineering statement and Figure 2 thereto, the proposed substitution of DTV Channel 40\* for DTV Channel 44\* at Boca Raton would result in predicted prohibited contour overlap under Section 73.623(c)(5)(i) of the Commission's rules with respect to Station WFUN-LP, Channel 48, Miami-Ft. Lauderdale. However, Station WAMI-DT, Channel 47, Hollywood, filed an application to maximize its DTV facilities on October 29, 1999, proposing to operate with 1,000 kilowatts (BPCDT-19991029AEG).<sup>5</sup> The entire service area of WFUN-LP (over land) is overlapped by the proposed interfering contour of Station WAMI-DT. See Engineering Statement, p. 3 and Figure 2. Because the proposed overlap between Stations WAMI-DT and WFUN-LP encompasses the entire service area of WFUN-LP, the smaller overlap that would result from the proposed substitution of DTV Channel 40\* for DTV Channel 44\* at Boca Raton would not result in any increase in predicted interference to WFUN-LP on strictly a predicted contour overlap basis. *Id.* at 3.

Furthermore, a portion of the WFUN-LP service area also is overlapped by the interfering contour of the licensed facility of Station WPPB-TV, Channel 63, Boca Raton. *Id.* and Figure 2. The existing contour overlap between WFUN-LP and the licensed WPPB-TV Channel 63 facility

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<sup>5</sup> Station WAMI-DT is not required to protect LPTV stations such as WFUN-LP because it filed its DTV maximization application prior to the enactment of the Community Broadcasters Protection Act of 1999 ("CBPA"), which occurred on November 29, 1999.

is “grandfathered” because it existed prior to the enactment of the CBPA. A portion of the overlap area that would result from the proposed WPPB-DT Channel 40 facility is within the existing overlap area caused by the licensed WPPB-TV Channel 63 facility. *Id.* at 3.

Mr. Davis conducted further interference studies pursuant to OET Bulletin 69 to determine the impact that the proposed Channel 40\* allotment at Boca Raton would have on Station WFUN-LP. As shown in the attached engineering statement, the results of those studies demonstrate that the proposed DTV Channel 40\* facility at Boca Raton would not cause *any* interference to WFUN-LP, even if “masking” interference from other television stations were ignored. *See* Engineering Statement, pp. 3-4. Thus, although there is an area of overlap with respect to the predicted service contour of Station WFUN-LP and the interfering contour of the proposed DTV Channel 40\* facility at Boca Raton, the Longley-Rice terrain dependent propagation methods contained in OET Bulletin 69 establish that the proposed Channel 40\* DTV allotment at Boca Raton would not cause any predicted interference to Station WFUN-LP. *Id.* at 4.

C. Additional Considerations.

An allocation study revealed that the proposed DTV Channel 40\* allotment at Boca Raton would result in prohibited contour overlap with two other LPTV stations: (i) a pending application filed by Station W40BN, Channel 40, Port St. Lucie, and (ii) the licensed facility of Station W40AA, Channel 40, Matecumbe. *See* Engineering Statement, p. 4. However, as reflected in the attached engineering statement, neither of these stations is eligible for Class A status, and, thus, they are not entitled to protection from the proposed substitution of DTV Channel 40\* at Boca Raton.<sup>6</sup>

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<sup>6</sup> *See Public Notice, Certificates of Eligibility for Class A Television Station Status*, DA 00-1224 (released June 2, 2000).

Moreover, although both the Port St. Lucie and Matecumbe LPTV stations would cause potential interference to the proposed WPPB-DT facility operating on Channel 40\* at Boca Raton, because neither of these LPTV stations is entitled to Class A status, the proposed reallocation is not required to demonstrate protection from either of these facilities.

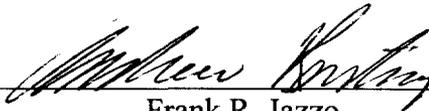
### **III. Conclusion.**

As demonstrated herein, the Longley-Rice terrain dependent propagation methods outlined in OET Bulletin 69 establish that the proposed substitution of DTV Channel 40\* for the existing DTV Channel 44\* allotment at Boca Raton would cause predicted interference to only 0.03% of Station WJAN-CA's service area, which is well within the Commission's 0.5% rounding tolerance. Moreover, the OET Bulletin 69 techniques establish that the proposed reallocation would not cause any predicted interference to Station WFUN-LP. Furthermore, the proposed Channel 40\* DTV facility at Boca Raton would not receive any predicted interference from WJAN-CA, WFUN-LP, or any other LPTV station eligible for Class A status.

WHEREFORE, in light of the foregoing, the proposal set forth in the *NPRM* to substitute DTV Channel 40\* for DTV Channel 44\* at Boca Raton, Florida, should be ADOPTED.

Respectfully submitted,

GUENTER MARKSTEINER

By: 

Frank R. Jazzo  
Vincent J Curtis, Jr.  
Andrew S. Kersting

His Counsel

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c:\ask\jazzo\rm\BocaRatonRep.wpd

## ENGINEERING STATEMENT

prepared jointly for

**Channel 63 of Palm Beach, Inc.**

**and**

**Guenter Marksteiner**

WPPB-DT Boca Raton, Florida

MM Docket 00-138

This engineering statement has been prepared on behalf of *Channel 63 of Palm Beach, Inc.* (“*Channel 63*”) and *Guenter Marksteiner*, in support of *Reply Comments* in a Notice of Proposed Rulemaking, Mass Media Docket 00-138.<sup>1</sup> The subject docket proposes to change the paired digital television (DTV) assignment for WPPB-TV (NTSC Channel 63, Boca Raton, Florida) from DTV Channel 44 to DTV Channel 40, as requested by *Channel 63*.

In its comments filed in Docket 00-138, *Sherjan Broadcasting Co., Inc.* (“*Sherjan*”), licensee of Class A television station WJAN-CA (NTSC Channel 41, Miami, FL), objected to the requested DTV channel change. On the basis of contour overlap, *Sherjan* suggests that harmful interference will be caused to the WJAN-CA and the WFUN-LP (NTSC Ch. 48, Miami, FL) facilities. (WFUN-LP is on the Commission’s June 2, 2000 list of stations deemed eligible to file an application for Class A station status.<sup>2</sup>) However, as discussed below, such concern is unwarranted and should not be a factor in the determination of the outcome of Docket 00-138.

### **Discussion - Interference to WJAN-CA**

Contour overlap that would be prohibited under §73.623(c)(5)(i) from the proposed WPPB-DT operation on Channel 40 would exist with respect to WJAN-CA. The attached **Figure 1** depicts the overlap between the WPPB-DT 88 dB $\mu$  interfering contour and the WJAN-CA 74 dB $\mu$  service contour. The overlap affects a portion of the WJAN-CA service area.

However, the *entire* WJAN-CA 74 dB $\mu$  service area is overlapped by the 40 dB $\mu$  interfering contour from WZVN-DT (DTV Channel 41, Naples, FL), as proposed in a pending application for construction permit (file number BMPCDT-20000501ACP), as shown in **Figure 1**. WZVN-DT is

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<sup>1</sup>See *Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Boca Raton, Florida)*, MM Docket No. 00-138, RM 9896, released August 18, 2000.

<sup>2</sup>See June 2, 2000 Public Notice *Certificates of Eligibility for Class A Television Station Status*, DA 00-1224.

## ENGINEERING STATEMENT

(page 2 of 5)

on the Commission's list of stations as having filed a "notice of intent to maximize," and its maximization application was filed on or prior to May 1, 2000. Thus, the proposal by WZVN-DT is not required to provide protection to Class A stations such as WJAN-CA.<sup>3</sup> Since this overlap area encompasses the *entire* WJAN-CA service area, the smaller overlap area by the proposed WPPB-DT facility does not increase interference to WJAN-CA, strictly on a contour overlap basis.

Further, and more significantly, per §73.623(c)(5)(iii) of the Commission's Rules, contour overlap is permissible if a more detailed analysis shows that interference is not likely. Specifically, interference protection to a Class A station from a DTV proposal may also be demonstrated (in lieu of contour protection) using the Longley-Rice terrain dependent propagation methods as outlined in Commission's Office of Engineering and Technology Bulletin number 69, *Longley-Rice Methodology for Evaluating TV Coverage and Interference*, July 2, 1997 ("OET Bulletin 69"). Accordingly, detailed interference studies were conducted in accordance with OET Bulletin 69 to determine the impact of the proposed WPPB-DT Channel 40 facility on WJAN-CA.<sup>4</sup>

The interference study results showed that interference to WJAN-CA from the proposed WPPB-DT operation would affect only 74.6 square kilometers, involving a population of 552 persons. This is *0.03 percent of WJAN-CA's service area population (1,691,669) and easily meets the Commission's 0.5 percent rounding tolerance* for DTV proposals to Class A television stations.<sup>5</sup> **Figure 1A** is a depiction of the OET Bulletin 69 study to WJAN-CA.

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<sup>3</sup>See FCC Public Notice "*Community Broadcasters Protection Act of 1999*" Sets Deadline of December 31, 1999 for Full Service TV Stations to File Letters of Intent to Maximize Their DTV Facilities" DA 99-2739, released December 7, 1999.

<sup>4</sup>The implementation of OET-69 for this study followed the guidelines of OET-69 as specified therein, except that the terrain profile step size is 0.1 km (which provides a finer resolution than the Commission's standard 1 km step size). A standard cell size of 2 km was used. The Longley-Rice computer program input data, following the guidelines established under OET-69, includes a location variability of 50%, a time availability of 10%, a situation variability of 50%, horizontal polarization, 0.005 S/m conductivity, a climate constant of 15, an assumption of a continental temperate climate zone, and a receive antenna height of 10 meters. The service area for the involved analog Low Power Television facility is that area predicted to receive signal levels of at least 74 dB $\mu$  using the Longley-Rice methodology, and within the 74 dB $\mu$  F(50,50) service contour distance. Comparisons of various results of this computer program to the Commission's implementation of OET-69 show good correlation.

<sup>5</sup>See *Establishment of a Class A Television Service*, MM Docket 00-10, FCC 00-115, released April 4, 2000, at para 74 .

## ENGINEERING STATEMENT

(page 3 of 5)

Thus, use of the Longley-Rice terrain dependent propagation methods of OET Bulletin 69 shows that predicted interference to WJAN-CA is substantially less than that suggested by *Sherjan*, and is within the Commission's tolerance for DTV to Class A interference.

### Interference to WFUN-LP

Contour overlap that would be prohibited under §73.623(c)(5)(i) from the proposed WPPB-DT operation on Channel 40 would exist with respect to Low Power Television (LPTV) station WFUN-LP, as depicted in the attached **Figure 2**.

However, the *entire* WFUN-LP 74 dB $\mu$  service area over land is overlapped by the 88 dB $\mu$  interfering contour from WAMI-DT (DTV Channel 47, Hollywood, FL), as proposed in a pending application for construction permit (file number BPCDT-19991029AEG), as shown in **Figure 2**. The WAMI-DT "maximization" application for a 1000 kW facility (file number BPCDT-19991029AEG) was filed prior to the November 29, 1999 enactment of the *Community Broadcasters Protection Act of 1999*, and is thus not required to afford protection to LPTV stations eligible for Class A status such as WFUN-LP. Since this overlap area encompasses the *entire* WFUN-LP service area, the smaller overlap area by the proposed WPPB-DT facility does not increase interference to WFUN-LP, strictly on a contour overlap basis.

A portion of the WFUN-LP service area is also overlapped by the 80 dB $\mu$  interfering contour from the licensed WPPB-TV NTSC facility (Ch. 63), also shown in **Figure 2**. Some of the overlap from the proposed WPPB-DT Channel 40 facility occurs within the existing overlap area from the licensed WPPB-TV Channel 63 facility. The overlap from WPPB-TV Channel 63 is "grandfathered", as it existed prior to the November 29, 1999 enactment of the *Community Broadcasters Protection Act of 1999*.

Further, detailed interference studies were conducted in accordance with OET Bulletin 69 to determine the impact of the proposed WPPB-DT Channel 40 facility on WFUN-LP. The interference study results showed that the proposed WPPB-DT facility *would not cause any*

## ENGINEERING STATEMENT

(page 4 of 5)

*interference* to WFUN-LP (even when “masking” of interference from other stations is ignored).

**Figure 2A** is a depiction of the OET Bulletin 69 study to WFUN-LP.

Although conventional contours show the possibility of interference, the Longley-Rice terrain dependent propagation methods in OET Bulletin 69 demonstrates that interference to WFUN-LP from the proposed WPPB-DT would not occur. This method of showing interference protection is permitted by §73.623(c)(5)(iii) in lieu of contour protection. Thus, the Commission’s requirements for DTV to Class A interference are satisfied.

### **Other Class A Television Considerations**

For completeness, an allocation study of possible conflicts was conducted with respect to any other LPTV / translator stations that may be eligible for Class A status. The study determined that contour overlap exists between the proposed WPPB-DT facility and only two other LPTV stations, using the criteria of §73.623(c)(5). Namely, only W40BN (APP, Ch. 40, Port St. Lucie, FL) and W40AA (LIC, Ch. 40, Matecumbe, FL) are subject to prohibited contour overlap within their respective service area. However, neither of these stations are on the Commission’s June 2, 2000 list of stations deemed eligible to file an application for Class A station status, and protection is therefore not required.

With respect to interference caused from nearby LPTV and Class A stations to the proposed WPPB-DT facility, an evaluation was conducted per §73.6013, which would require that an analog Class A station not cause 0.5 percent (or more) interference to a DTV facility’s service population. The detailed interference study was conducted in accordance with OET Bulletin 69. The results showed that only W40BN and W40AA would cause any level of interference to the proposed WPPB-DT facility. As stated earlier, neither of these stations are on the Commission’s June 2, 2000 list of stations deemed eligible to file an application for Class A station status, and any interference protection to or from these facilities is not required. WJAN-CA and WFUN-LP, among other stations, were found not to cause any interference to the proposed WPPB-DT facility.

## ENGINEERING STATEMENT

(page 5 of 5)

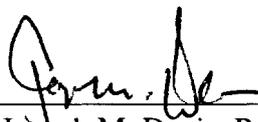
Thus, for the reasons outlined above, it is believed that the Commission's interference criteria with respect to all Class A stations and LPTV stations eligible for Class A status are met.

### Summary

The WPPB-DT proposal would cause interference to only 0.03 percent of WJAN-CA's service population, which complies by a wide margin with the Commission's stated 0.5% rounding tolerance for the use of OET Bulletin 69 techniques. No interference is caused to WFUN-LP, based on OET Bulletin 69. No interference is caused to the proposed WPPB-DT facility by WJAN-CA, WFUN-LP, or any other Class A station or LPTV station eligible for Class A status. No other Class A station or LPTV station eligible for Class A status is affected by interference from the proposed WPPB-DT facility (based on contour overlap and OET Bulletin 69).

### Certification

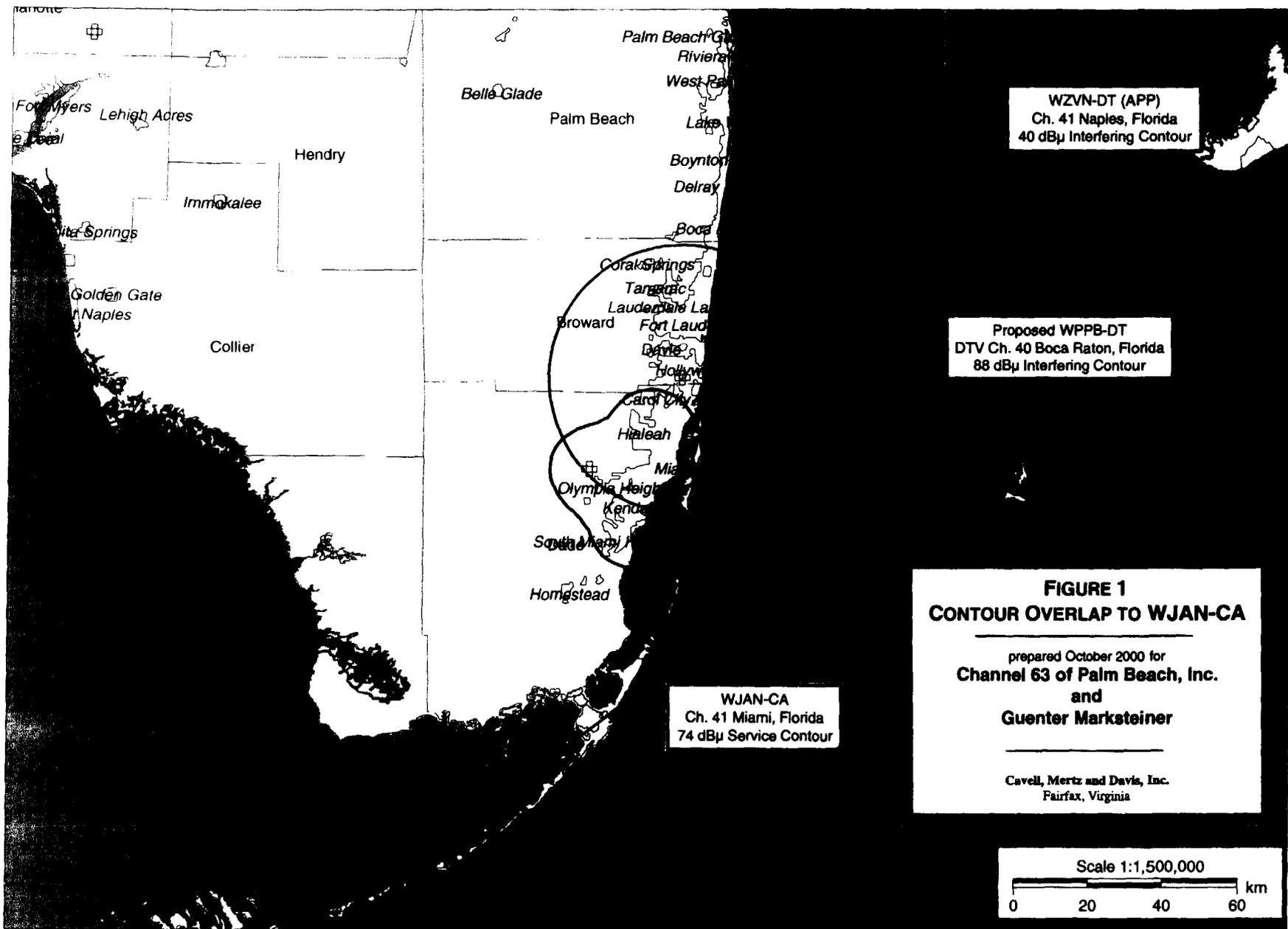
The undersigned hereby certifies that the foregoing statement was prepared by him or under his direction, and that it is true and correct to the best of his knowledge and belief. Mr. Davis is a principal in the firm of *Cavell, Mertz & Davis, Inc.*, is a Registered Professional Engineer in Virginia, holds a Bachelor of Science degree from Old Dominion University in Electrical Engineering Technology, and has submitted numerous engineering exhibits to various local governmental authorities and the Federal Communications Commission. His qualifications are a matter of record with that entity.



Joseph M. Davis, P.E.

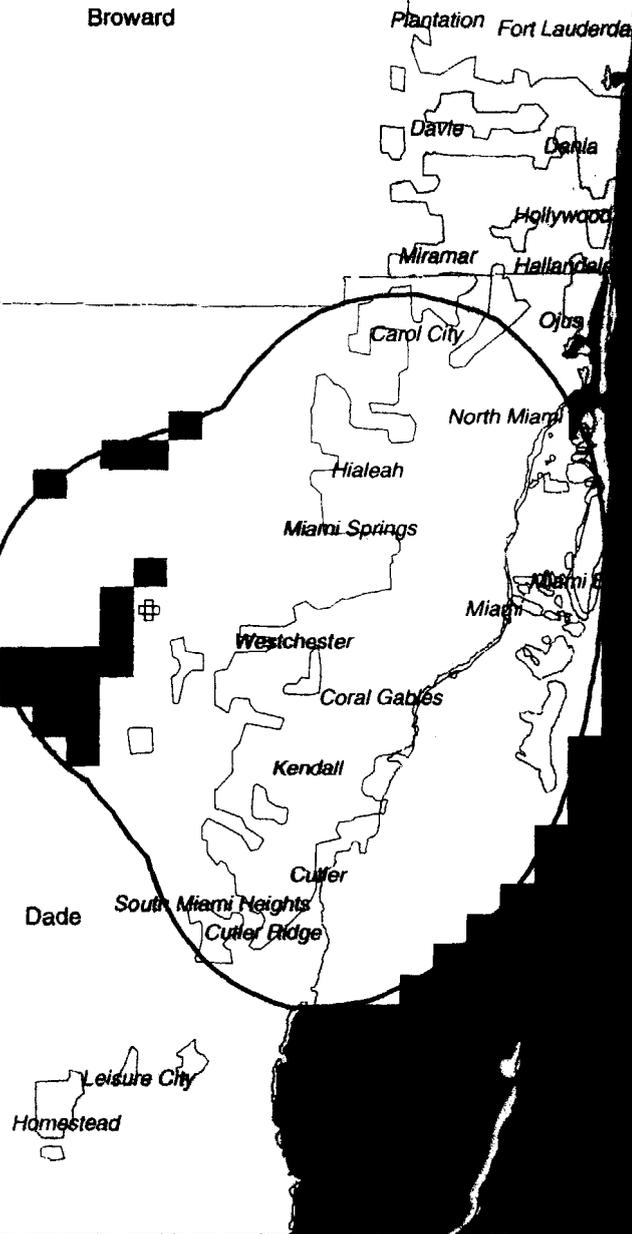
October 23, 2000

Cavell, Mertz & Davis, Inc.  
10300 Eaton Place Suite 200  
Fairfax, VA 22030  
(703) 591-0110



	Population
 No Interference	1,695,483
 NTSC Interference	0
 DTV Interference (not already masked by NTSC interference)	552
 Signal below 74 dBu	

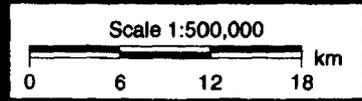
WJAN-CA  
74 dBu

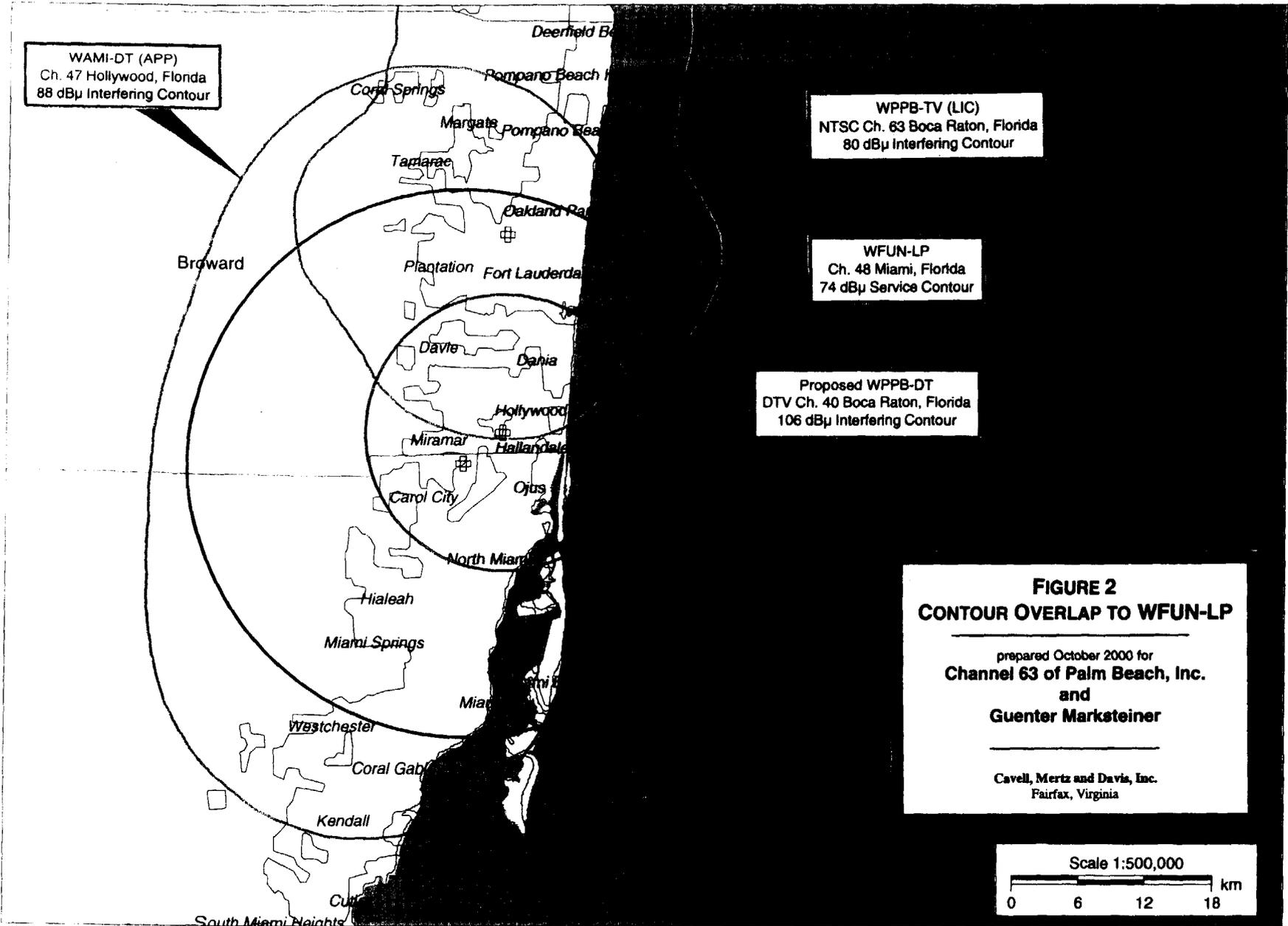


**FIGURE 1A**  
**PREDICTED INTERFERENCE TO WJAN-CA**  
**CONSIDERING WPPB-DT PROPOSAL**  
**OET BULLETIN-69 ANALYSIS**

prepared October 2000 for  
**Channel 63 of Palm Beach, Inc.**  
**and**  
**Guenter Marksteiner**

Cavell, Mertz & Davis, Inc.  
 Fairfax, Virginia





WAMI-DT (APP)  
Ch. 47 Hollywood, Florida  
88 dBu Interfering Contour

WPPB-TV (LIC)  
NTSC Ch. 63 Boca Raton, Florida  
80 dBu Interfering Contour

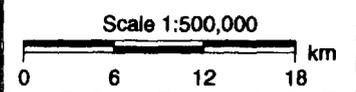
WFUN-LP  
Ch. 48 Miami, Florida  
74 dBu Service Contour

Proposed WPPB-DT  
DTV Ch. 40 Boca Raton, Florida  
106 dBu Interfering Contour

**FIGURE 2**  
**CONTOUR OVERLAP TO WFUN-LP**

prepared October 2000 for  
**Channel 63 of Palm Beach, Inc.**  
and  
**Guenter Marksteiner**

Cavell, Mertz and Davis, Inc.  
Fairfax, Virginia



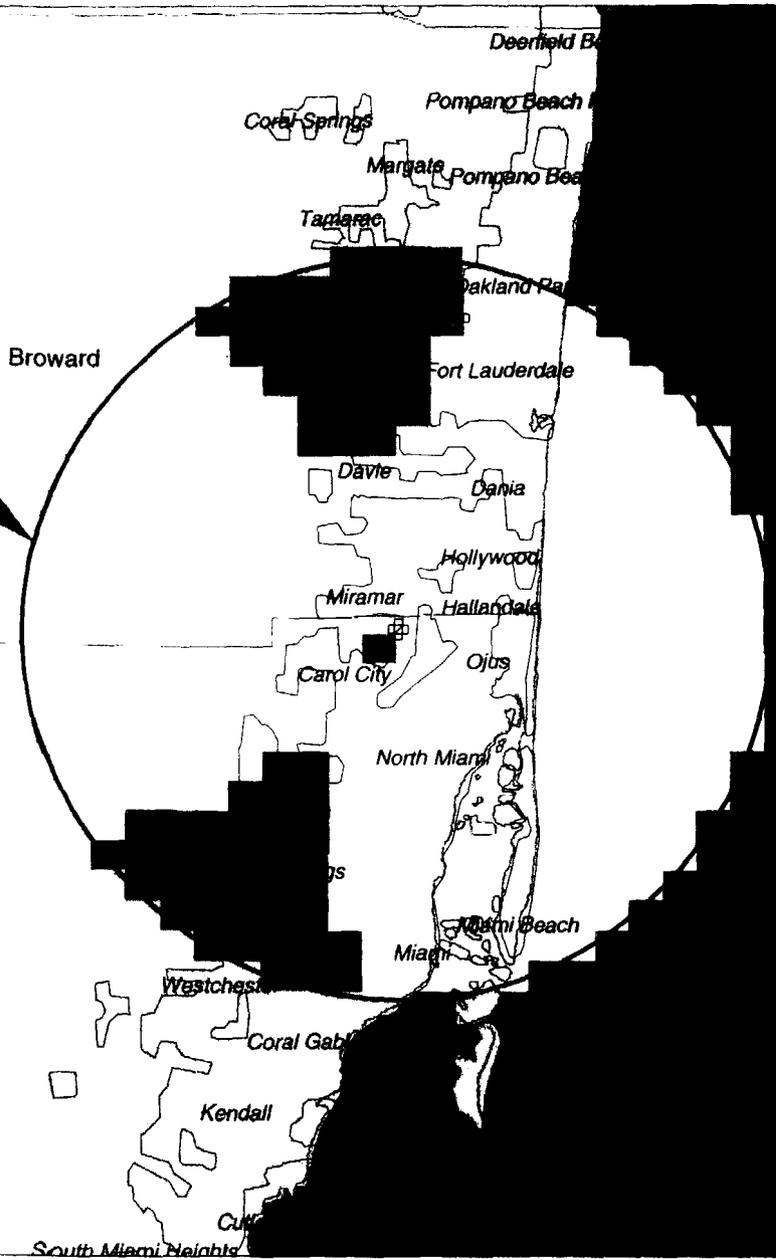
**FIGURE 2A  
PREDICTED INTERFERENCE TO WFUN-LP  
CONSIDERING WPPB-DT PROPOSAL  
OET BULLETIN-69 ANALYSIS**

prepared October 2000 for  
**Channel 63 of Palm Beach, Inc.  
and  
Guenter Marksteiner**

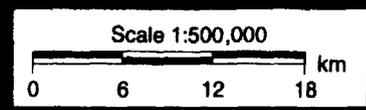
Cavell, Mertz & Davis, Inc.  
Fairfax, Virginia

WFUN-LP  
74 dBu

Broward



	<u>Population</u>
No Interference	1,413,316
NTSC Interference	3,282
DTV Interference (not already masked by NTSC interference)	550,084
Signal below 74 dBu	
Stations which cause interference:	
WPPB-TV(Lic) NTSC Ch. 63	
WAMI-DT(App) DTV Ch. 47	
No Interference (masked or unmasked) from:	
Proposed WPPB-DT Ch. 40	



**CERTIFICATE OF SERVICE**

I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., hereby certify that on this 25th day of October, 2000, copies of the foregoing "Reply Comments" were hand delivered or mailed first-class, postage prepaid, to the following:

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Mass Media Bureau  
Federal Communications Commission  
The Portals II, Room 2-A666  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Ms. Pam Blumenthal\*  
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