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PEPPER & CORAZZINI, LLP
ATTORNEYS AT LAW

1776 K STREET, N.W., SUITE 200
WASHINGTON, D.C. 20006-2334

VINCENT A PEPPER
EXT. 235
VAP@COMMLAW.COM

(202) 296-0600
FAX (202) 296-5572
WWW.COMMLAW.COM

December 12, 2001

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DEC 12 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

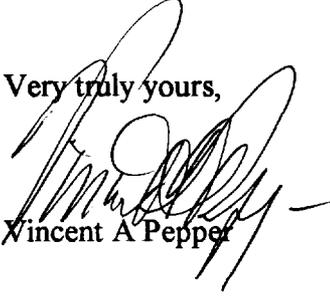
Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Dear Ms. Salas:

Transmitted herewith on behalf of Television Capital Corporation of Portland is an original and four (4) copies of its Amendment to Petition for Rule Making offering an alternative proposal seeking substitution of Channel 39 for the existing Channel 63 allocation at Richmond, Virginia, in connection with its pending construction permit application for a full service NTSC television station at Richmond, Virginia (File No. BPCT-19960920WI).

Should any further information be desired in connection with this matter, please contact this office directly.

Very truly yours,


Vincent A Pepper

Enclosures

No. of Copies rec'd 074
List A B C D E

01-434
M.M.D.

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

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DEC 12 2001

In re Matter of)
)
Amendment of Section 73.606(b))
Table of Allotments,)
Television Broadcast Stations)
Richmond, Virginia)

MM Docket No. _____
RM- _____

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Chief, Video Services Division

AMENDMENT TO PETITION FOR RULE MAKING

Television Capital Corporation of Richmond (“TCC”), by its attorneys hereby amends its previously filed petition for rulemaking to offer the Commission an alternative to TCC’s originally requested amendment of the Table of Allotments for NTSC TV Broadcast Stations. This alternative is proposed for consideration by the Commission in light of the Commission’s recent determination that it will no longer consider NTSC proposals for *new* stations operating in the Channel 52-58 range. TCC now asks that the Commission substitute Channel 39 for Channel 63 at Richmond, Virginia.¹ Should such a substitution be granted, TCC further requests that the Commission substitute Channel 52 at Ashland, Virginia, for Channel 65+ at Ashland, Virginia. The substitution of Channel 52 would satisfy the request made by Bell Broadcasting, LLC (“Bell”) by its November 3, 2000 petition, in that it would allow Bell’s existing television station WUPV-TV to relocate from the upper 700 MHz band Channel 65 to the lower 700 MHz band Channel 52. In support of this proposed alternative scheme of allotments, the following is stated:

¹ Action adopted at meeting of the full Federal Communications Commission on December 12, 2001. Report and Order not yet released as of the date of this filing.

1. In 1996, TCC filed an application for a construction permit for a new TV broadcast station on Channel 63 at Richmond, Virginia (File No. BPCT-19960920WI). United Television, Inc. (“United”) also filed an application for the same allotment (File No. BPCT-19960920IT). In 1999, the Commission released a Public Notice entitled *Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for New Analog TV Stations*.² The *Public Notice* opened “a window filing opportunity to allow persons with certain pending requests for new analog (NTSC) television stations to modify their requests, if possible, to eliminate technical conflicts with digital television (DTV) stations and to move from channels 60-69.”³ Both TCC and United came within that eligibility category because they had both filed applications for new full service NTSC television stations on Channel 63 at Richmond, Virginia.

2. On July 17, 2000, TCC and United filed a Joint Request for Approval of a Settlement Agreement, requesting the grant of TCC’s application and the dismissal with prejudice of United’s application. Concurrently with that filing, TCC submitted a Petition for Rule Making to amend the Table of Allotments for NTSC TV Broadcast Stations to substitute Channel 52 for Channel 63 at Richmond, Virginia (“*Channel 52 Petition*”) pursuant to the displacement provisions of the Commission’s *Public Notice*. TCC’s request to substitute Channel 52 for the existing allotment of Channel 63 remains pending, and this proposal to substitute Channel 39 for Channel 63 is simply an alternative.

3. In January of this year, the Commission announced that it would seek to clear the upper 700 MHz band—occupied by television channels 60-69—by providing for the relocation

² See 14 FCC Rcd 19559 (1999), subsequently modified by 15 FCC Rcd 4974 (2000) (“*Public Notice*”).

³ See *Public Notice* at 1.

of any television stations operating on those channels.⁴ In March, the Commission released a *Notice of Proposed Rule Making* that addressed the status of stations and pending applications within the “Lower 700 MHz Band”—occupied by television channel 52-59—which the Commission intends to reallocate for non-broadcast use after the digital transition.⁵ The *NPRM* expressed the Commission’s desire to recover the spectrum currently occupied by television operations on Channels 52-59 in the most efficient matter possible.⁶ Thus, in an effort to provide the Commission with a viable means of effecting its band-clearing goals in the Richmond market, TCC now amends its petition to outline an alternative allotment scheme by which the Commission substitutes NTSC Channel 39 to Richmond for Channel 63. Furthermore, by allowing TCC to specify Channel 39, the Commission may then permit Bell’s station WUPV-TV, Ashland, Virginia, to vacate the upper 700 MHz band by moving its operations from its current Channel 65 to Channel 52 at Ashland, Virginia. According to Bell, WUPV-TV represents the only upper 700 MHz band station in the Richmond-Petersburg, Virginia market, and thus the Commission’s could quickly clear the upper 700 MHz band in the Richmond area by allowing for WUPV-TV’s relocation.⁷ Furthermore, TCC’s construction of a new station on Channel 39 will reduce the Commission’s burden in clearing the lower 700 MHz band in Richmond while still bringing new television service to the area.

4. The attached Engineering Statement provides the necessary technical analysis to illustrate the technical viability of this alternative scheme of allotments. TCC’s previously filed *Channel 52 Petition* amply addressed the technical issues surrounding the substitution of

⁴ See Third Report and Order, Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission's Rules, FCC 01-25 (released January 23, 2001).

⁵ See *Reallocation and Service Rules for the 698-746 MHz Spectrum Band (Television Channels 52-59) Notice of Proposed Rule Making*, FCC 01-91 (March 28, 2001)(“*NPRM*”).

⁶ *Id.* at para. 5.

⁷ See Petition for Rule Making, filed by Bell Broadcasting, LLC on November 3, 2000 at 5.

Channel 52 in Richmond.⁸ Thus, TCC now addresses only the substitution of Channel 39 for Channel 63 in Richmond, Virginia, as raised by this new alternative proposal. The proposed substitution of Channel 39 for the existing Channel 63 allotment at Richmond complies with all of the Commission's spacing and interference rules, with the single exception examined below.⁹

5. A fourth channel "taboo" spacing (N-4) issue is raised by a full-service NTSC station operating on Channel 35—WRLH-TV, Richmond, Virginia.¹⁰ However, the N-4 short-spacing should present no obstacle to the proposed substitution. In the instant proposal, the taboo issue is not a real issue at all, as the use of a directional antenna coupled with the near collocation of TCC's proposed station and WRLH-TV will keep the signal strength of the two carriers relatively equal and thus result in no actual interference.¹¹

6. The historical and technical aspects of the taboo issue have been examined by parties before the Commission extensively, often highlighting the fact that television tuner receiver technology has advanced significantly since the time the taboo restrictions were first introduced. This is a factor that the Commission itself has acknowledged as effective in reducing or eliminating taboo-induced interference.¹²

7. Furthermore, the Commission has previously approved television facilities that were similarly taboo short-spaced.¹³ For example, the Commission recently granted authority to operate WBDT-TV, Springfield, Ohio on Channel 26+ when it was N-4 taboo short-spaced and

⁸ See Engineering Statement accompanying *Channel 52 Petition*.

⁹ See Engineering Statement at 4 (attached).

¹⁰ See Engineering Statement at 3

¹¹ See Engineering Statement at 3.

¹² See *A Study of UHF Television Receiver Immunities*, OET-TM-3, August 1987 at page 3.

¹³ See, e.g., Letter from Barbara Kreisman, Mass Media Bureau to Montgomery County Media Network, Inc. dated May 31, 1998 (waiving §73.610 and §73.698 to allow for a 10 kilometer N-7 taboo short-spacing for KHIM-TV, Conroe, Texas).

to WKEF-TV, Dayton, Ohio, which operates on Channel 22+.¹⁴ As TCC proposes here, the stations involved in an N-4 taboo short-spacing were virtually collocated, which eliminates any interference.¹⁵ In fact, the Commission has even eliminated the UHF taboo restrictions with respect to low power television stations, illustrating the Commission's recognition that the taboo restrictions are no longer necessary.¹⁶ Thus, to the extent that it is necessary, TCC requests that the Commission waive the taboo spacing requirements of §73.698 to allow for the substitution of Channel 39 for the existing Channel 63 allocation at Richmond, Virginia.

8. By allowing TCC to specify Channel 39 at Richmond, the requested allotment of Channel 52 would then be available for use by another station. As noted above, the licensee of WUPV-TV, Ashland, Virginia—Bell Broadcasting, LLC— has filed a Petition for Rule Making which requests that the Commission delete the allotment of Channel 52 at Courtland, Virginia while substituting Channel 52 at Ashland for WUVP-TV's current allotment at Channel 65 in Ashland. While TCC has previously expressed its belief that Bell's petition is fatally flawed¹⁷— and continues to hold that position—it now proposes an alternative means by which the Commission could pursue its band clearing goals while at the same time providing for new service to Richmond, Virginia. Specifically, TCC proposes that Bell be permitted to operate on the Channel 52 allocation at Richmond that would be available should TCC be allowed to specify Channel 39 in its pending application. As Bell has acknowledged in its previous pleadings, any operations on Channel 52 would have to cease by the end of the digital transition period.

¹⁴ See authorization granted in response to application BLCT-20001103ABK.

¹⁵ See Engineering Statement at 4.

¹⁶ See In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, 12 FCC Rcd 14588, 14654 (1997).

¹⁷ See Reply to Opposition of Bell Broadcasting to Joint Request for Approval of Settlement Agreement, filed December 22, 2000, at 4.

9. TCC believes that the Commission specifically contemplated allowing such a move when it observed that a temporary move from the upper 700 MHz band to the lower 700 MHz band would “allow the incumbent broadcasters the opportunity to continue operating, while clearing the spectrum for the new wireless licensees.”¹⁸ Indeed, this temporary relocation of WUVP-TV would serve the substantial public interest by clearing the upper 700 MHz band in the Richmond area and facilitating the commencement of advanced wireless services within that band as well as enabling public safety entities to use that band prior to the end of the transition period.

10. Under this proposed alternative allotment scheme, the relocation of WUPV-TV to Channel 52 would occur without any compensation to WUPV-TV’s licensee. Bell, in its November 3, 2000 Petition for Rule Making to allot Channel 52 to Ashland, Virginia highlighted its uncompensated relocation of the station to be one of the benefits of relocating WUPV-TV from Channel 65 to Channel 52.¹⁹ Such a move, in addition to furthering the Commission’s band clearing goals, would satisfy Congressional concerns over the compensation of broadcasters in such situations, as expressed by Senator Hollings in his recent letter to Chairman Powell.²⁰

11. TCC believes that this request for channel substitution is supported by the Commission’s actions in Achernar Broadcasting Company, a proceeding in which the Commission allowed a channel substitution in Charlottesville, Virginia.²¹ In the *Achernar MO&O*, the Commission decided that due to the long pendency of the mutual exclusive applications, it would not require the parties to file a rulemaking petition seeking to substitute

¹⁸ See Third Report and Order, Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission's Rules, FCC 01-25, paras. 34-36 (released January 23, 2001).

¹⁹ See Petition for Rule Making, filed November 3, 2000 by Bell Broadcasting, LLC, at para. 5.

²⁰ See Letter to Hon. Michael K. Powell from Senator Ernest F. Hollings, dated October 17, 2001 (attached).

Channel 19 for the existing Channel 64 allotment at Charlottesville, which would have resulted in at least two co-channel short-spacings. Instead, the Commission permitted the prevailing party under the settlement agreement to amend its pending application to specify Channel 19, noting:

“[a]dding analog channel 19 to the Table of Allotments is, in sum, an essentially ministerial act designed purely to ensure the continuing accuracy of the Table.”²²

In addition to offering a support for the procedural action of channel substitution that TCC now urges the Commission to consider, TCC also respectfully submits that if the Commission was willing to effectively waive the short-spaced co-channel allotments that were present in Achernar Broadcasting Company, it certainly should be willing to waive a N-4 UHF taboo present in this proceeding in light of the substantial public interest benefits described in this petition.

12. In addition, the alternative proposed here by TCC provides the Commission with an opportunity to help foster the development of emerging national television networks by providing an additional competitive broadcast outlet in a top 100 television market²³ with which to establish a primary affiliation.²⁴ The allotment of Channel 39 to Richmond would (i) bring a new local television service to 489,320 viewing households in the Richmond area, (ii) promote ownership diversity in the Richmond television market, and (iii) increase competition in the local advertising market. Indeed, in light of the Commission’s relaxation of the local television

²¹ FCC 00-382 (released October 25, 2000)(“*Achernar MO&O*”).

²² *Achernar MO&O* at para. 25.

²³ The Richmond market is currently ranked as the 60th television market. See *Broadcasting & Cable*, p. B-222 (2001).

²⁴ The WB and UPN have explained to the Commission in a variety of proceedings that one of their primary challenges in establishing themselves as a nationwide network has been finding a sufficient number of stations with which to affiliate. See, e.g., Comments of The WB Television Network, *Establishment of a Class A Television Service*, MM Docket No. 00-10 (filed Feb. 10, 2000); Comments and Reply Comments of The Warner Bros. Television Network, *Review of the* (footnote continued on next page)

ownership rules and the increasing consolidation in the broadcast industry, the public interest benefits that would result from TCC's allotment proposal have even more importance in today's broadcast environment than those that existed at the time the *Interim Policy*²⁵ and *VHF Top 100 Markets* were adopted.

13. In sum, the public interest would obviously be served by allowing the substitution of Channel 39 for the existing Channel 63 allotment at Richmond, Virginia and the subsequent designation of that channel for TCC's application, as it would clear the way for reallocation of the upper 700 MHz spectrum band, and expedite the inauguration of a new television service to Richmond.

Commission's Regulations Governing Programming Practices of Broadcast Television Network and Affiliates, MM Docket No. 95-92 (filed Oct. 30, 1995, Nov. 27, 1995).

²⁵ See *Interim Policy on VHF Television Channel Assignments*, 21 RR 1695 (1961), *recon. denied*, 21 RR 1710a (1961) ("*Interim Policy*").

WHEREFORE, TCC requests that the NTSC TV Table of Allotments be amended as follows:

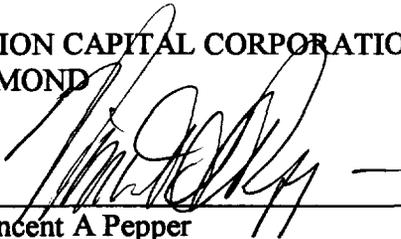
Community	Present	Proposed
Richmond, VA	6, 12, *23, 35, *57, 63	6, 12, *23, 35, 39, *57

Upon the amendment of the TV Table of Allotments, TCC will amend the technical portion of its application pending before the Commission to specify operations on the new channel.

Respectfully submitted,

TELEVISION CAPITAL CORPORATION
OF RICHMOND

By:



Vincent A Pepper
Counsel to Television Capital Corporation
of Richmond



Mark Blacknell
Counsel to Television Capital Corporation
of Richmond

Pepper & Corazzini, L.L.P.
1776 K Street, NW, Suite 200
Washington, D.C. 20006
tel: (202) 296-0600
fax: (202)296-5572

December 12, 2001



**ENGINEERING STATEMENT OF JOHN E. HIDLE, P.E.
IN SUPPORT OF A REQUEST AMEND A
PETITION FOR RULEMAKING**

I am a Consulting Engineer, an employee in the firm of Carl T. Jones Corporation, with offices located in Springfield, Virginia. My education and experience are a matter of record with the Federal Communications Commission. I am a registered Professional Engineer in the Commonwealth of Virginia, Registration No. 7418, and in the State of New York, Registration No. 63418.

This office has been authorized to prepare this statement in support of a Proposal to provide an alternative TV channel in a Petition to Amend the Television (TV) Table of Allotments, Section 73.606(b) of the FCC Rules. The pending Petition (BPRM-20000717ACH) was originally submitted in connection with pending applications for construction permit for a new TV station on Channel 63 in Richmond, Virginia, and in response to the Mass Media Bureau's November 22, 1999 Public Notice DA-99-2605. The pending Petition requests a substitution of channel 52 channel 63. In the alternative, if channel 52 is deemed by the Commission to be unacceptable as a replacement channel, the petitioner requests the substitution of channel 39, and that for Section 73.606(b) of the FCC Rules be modified in the following manner:

	<u>Present</u>	<u>Proposed</u>
Richmond, VA	6, 12, *23, 35, *57, 63	6, 12, *23, 35, 39, *57
West Point, VA	*46	None

STATEMENT OF JOHN E. HIDLE, P.E.
PAGE 2

Channel 63 is specified in the TV Table of Allotments for a new analog TV station to serve Richmond, Virginia. Television channel 63 is in the 700 MHz frequency band in which Congress has mandated the FCC to reallocate and auction on June 19, 2002. The FCC is in the process of promoting and facilitating the rapid clearing of this spectrum. This proposed rulemaking will help facilitate the transition of this spectrum from broadcast and wireless use to the broader range of wireless technologies by proposing a channel substitution for the existing channel 63 allocation in Richmond, Virginia.

In light of the planned frequency reallocation, the proponent has undertaken an exhaustive frequency search for a new television channel to be added within the core television frequency band for use in Richmond, Virginia in lieu of Channel 63. Every potential in-core television broadcast channel from VHF channel 2 to UHF channel 51 was found to have one or more prohibitive, geographic spacing restraints presented by one or more full service analog television stations, DTV allocations, DTV construction permits, or DTV licenses.

The best possible, least preclusive channel was found to be TV Channel 39. The proposed TV Channel 39 would be short-spaced to TV allotment Channel 46 at West Point, Virginia by 15.86 km. However, research has revealed that the Channel 46 TV allotment in West Point, Virginia has been precluded by the authorization of a Construction Permit on Channel 46 in Norfolk, Virginia to WPXV(DT). The reference coordinates of the Channel 46 allotment lie within the noise limited contour of WPXV(DT) and therefore, the allotment is displaced by the DTV CP and should be considered as non-existent.

STATEMENT OF JOHN E. HIDLE, P.E.
PAGE 3

Therefore, the proposed substitution of analog Channel 39 for analog Channel 63 at Richmond, Virginia satisfies all minimum distance separations contained in Section 73.610 of the FCC Rules, with the exception of a short-spacing to fourth adjacent channel station WRLH-TV operating on analog TV Channel 35 in Richmond, Virginia. For reasons explained later in this proposal, the proponent respectfully requests a waiver of this fourth adjacent short-spacing requirement.

An engineering study of all pertinent allotments, assignments and applications revealed that a new allotment on TV Channel 39 in Richmond, Virginia would be short-spaced to fourth adjacent TV Channel 35, WRLH-TV in Richmond, Virginia. The allotment reference coordinates used for TV Channel 39 at Richmond, Virginia are 37° 30' 21" North Latitude and 77° 41' 58" West Longitude. The proposed allotment facility would utilize a Peanut shaped directional transmitting antenna at a Height Above Average Terrain (HAAT) of 311 meters and an Effective Radiated Power (ERP) of 3500 kW as detailed in the attached FCC Form 301 and associated exhibits. The Richmond allotment reference site would be co-located with the site of the currently authorized Construction Permit (BPCT-960705KE) for TV Channel 35 at Richmond, Virginia. Fourth adjacent channel UHF TV stations have the potential to cause intermodulation interference when located nearby, however technical studies and past precedent have shown that the co-location of TV stations operating on intermodulation related frequencies, such as fourth and fifth adjacent channels, is possible without causing interference. For example, WBDT(TV) in

STATEMENT OF JOHN E. HIDLE, P.E.
PAGE 4

Springfield, Ohio is licensed to operate on channel 26+ (BLCT-20011103ABK) at a site which is located 0.64 kilometers from the licensed site of WKEF(TV) in Dayton, Ohio which operates on channel 22+ (BLCT-2584). WBDT(TV), in its application to relocate to its currently licensed site, asked for and received a waiver of the fourth adjacent channel minimum geographical separation requirement.

In addition, a detailed interference study using the FCC's tv_process program to incorporate Longley-Rice methodology in the determination of interference between stations, as outlined in OET Bulletin No. 69, revealed that the proposed channel will cause no interference to any DTV assignments or DTV allocations. The output of the tv_process program produced from this study is included in its entirety as Appendix A.

It is anticipated that the Richmond Channel 39 television facility will be a short-term analog UHF television facility, serving the population of Richmond during the nationwide transition to DTV. Once the transition trigger occurs for the Richmond market, it is expected that the analog TV facility will convert to digital transmission on Channel 39, or some alternate channel which might be designated, in compliance with the FCC's expectation.

It is submitted that the instant proposal satisfies the technical allotment criteria of the Federal Communication Commission with respect to all analog and DTV allotments, assignments and applications with the exception of the aforementioned instances. Grant of the instant rulemaking proposal would assist in facilitating the removal of a full-service

STATEMENT OF JOHN E. HIDLE, P.E.
PAGE 5

television allocation from the 700 MHz band and may help expedite the scheduled auction for the newly allocated commercial and public safety services and would preserve the new UHF television to Richmond, Virginia.

This statement was prepared by me or under my direct supervision and is believed to be true and correct.

DATED: December 11, 2001



John E. Hidle, P.E.



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 John E. Hidle		Relationship to Applicant (e.g., Consulting Engineer) Consulting Engineer	
Signature <i>John E. Hidle</i>		Date 12/11/01	
Mailing Address 7901 Yarnwood Ct.			
City Springfield		State or Country (if foreign address) VA	ZIP Code 22153
Telephone Number (include area code) (703) 569-7704		E-Mail Address (if available) jhidle@ctjc.com	

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-C TV 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: 39

2. Offset: Plus _____ Minus _____ Zero _____

3. Zone: I II III

4. Antenna Location Coordinates: (NAD 27)
37 ° 30 ' 21 " N S Latitude
77 ° 41 ' 58 " E W Longitude

5. Antenna Structure Registration Number: 1016464
 Not applicable FAA Notification Filed with FAA

6. Height of Radiation Center Above Mean Sea Level: 385.5 meters

7. Overall Tower Height Above Ground Level: 375.8 meters

8. Height of Radiation Center Above Ground Level: 294.1 meters

9. Height of Radiation Center Above Average Terrain: 311.0 meters

10. Maximum Effective Radiated Power (ERP): 3500 kW

11. Antenna Specifications:

Manufacturer	Model
Andrew	ATW30H2-HS-P4-39H

a. Not Applicable

b. Electrical Beam Tilt: 0.5 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 73.685.

Exhibit No.
Exhibits 1-4

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	0.382	60	0.710	120	0.663	180	0.185	240	0.184	300	0.946
10	0.282	70	0.872	130	0.479	190	0.190	250	0.202	310	0.997
20	0.247	80	0.977	140	0.312	200	0.193	260	0.312	320	0.977
30	0.282	90	0.997	150	0.202	210	0.190	270	0.479	330	0.872
40	0.382	100	0.946	160	0.184	220	0.185	280	0.663	340	0.710
50	0.536	110	0.828	170	0.181	230	0.181	290	0.828	350	0.536
Additional Azimuths											

If a directional antenna is proposed, the requirements of 47 C.F.R. Sections 73.682(a)(14) and 73.685 must be satisfied. **Exhibit required.**

Exhibit No.
Exhibits 1-4

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.

CERTIFICATION

- 12. **Allotment.** The proposed facility complies with 47 C.F.R. Section 73.607. Yes No See Explanation in Exhibit No.
See Stmt.
- 13. **Power and Antenna Height.** The proposed facility complies with 47 C.F.R. Section 73.614. Yes No See Explanation in Exhibit No.
See Stmt.
- 14. **Community Coverage.** The proposed facility complies with 47 C.F.R. Sections 73.685(a) and (b). Yes No See Explanation in Exhibit No.
Exhibit 6
- 15. **Main Studio Location.** The proposed main studio location complies with 47 C.F.R. Section 73.1125. Yes No See Explanation in Exhibit No.
See Stmt.

16. **Separation Requirements.** The proposed facility complies with the separation requirements 47 C.F.R. Section 73.610.

Yes No

See Explanation
in Exhibit No.
See Stmt.

17. **Objectionable Interference.** The applicant accepts full responsibility in accordance with 47 C.F.R. Sections 73.685(d) and (g) for the elimination of any objectionable interference (including that caused by intermodulation) to facilities in existence or authorized prior to the grant of this application.

Yes No

See Explanation
in Exhibit No.
See Stmt.

18. **Environmental Protection Act.** The proposed facility is excluded from environmental processing under 47 C.F.R. Section 1.1306 (*i.e.*, the facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments).

Yes No

Exhibit No.
Appendix A

See Explanation
in Exhibit No.
See Stmt.

If "Yes," **submit as an Exhibit** a brief explanation of why an Environmental Assessment is not required. Also describe therein 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" above, 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 "No," submit as an Exhibit an Environmental Assessment required by 47 C.F.R. Section 1.1311.

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



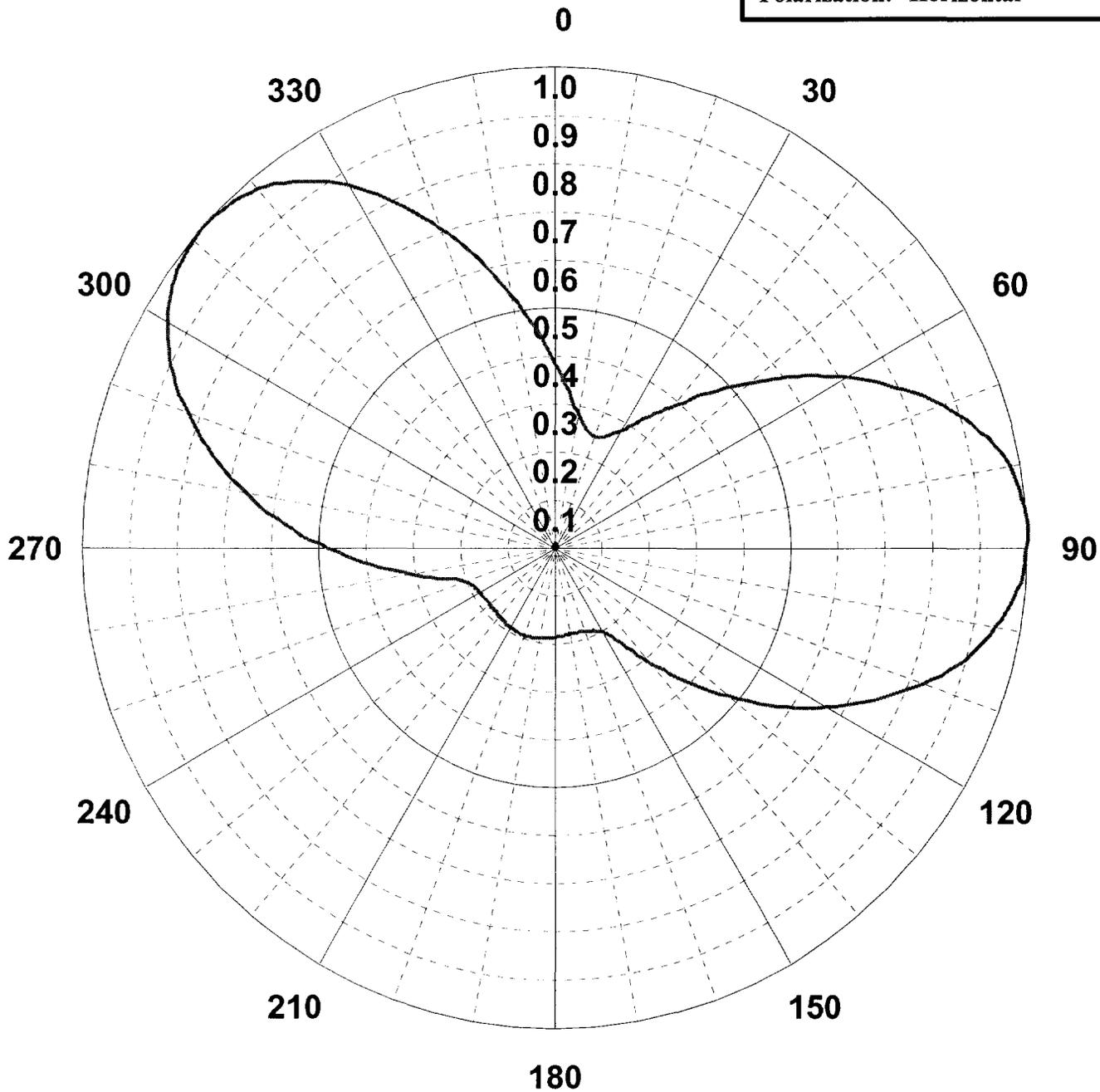
ANDREW

Channel: 39

Type: ATW-P4

Gain: 2.85 (4.55 dB)

Polarization: Horizontal



ANDREW CORPORATION
10500 W. 153rd Street
Orland Park, Illinois U.S.A. 60462

Company:
Site: Richmond, VA Author:
Proposal Number: NEW Channel 39

Date: 12/10/01



Angle	Amp	dB	Angle	Amp	dB									
0	0.382	-8.36	72	0.899	-0.92	144	0.255	-11.87	216	0.187	-14.56	288	0.796	-1.98
1	0.372	-8.59	73	0.910	-0.82	145	0.242	-12.32	217	0.187	-14.56	289	0.812	-1.81
2	0.361	-8.85	74	0.922	-0.71	146	0.229	-12.80	218	0.186	-14.61	290	0.828	-1.64
3	0.350	-9.12	75	0.933	-0.60	147	0.220	-13.15	219	0.186	-14.61	291	0.843	-1.48
4	0.339	-9.40	76	0.944	-0.50	148	0.212	-13.47	220	0.185	-14.66	292	0.858	-1.33
5	0.328	-9.68	77	0.953	-0.42	149	0.207	-13.68	221	0.185	-14.66	293	0.871	-1.20
6	0.316	-10.01	78	0.963	-0.33	150	0.202	-13.89	222	0.184	-14.70	294	0.884	-1.07
7	0.307	-10.26	79	0.970	-0.26	151	0.199	-14.02	223	0.183	-14.75	295	0.896	-0.95
8	0.297	-10.54	80	0.977	-0.20	152	0.195	-14.20	224	0.183	-14.75	296	0.907	-0.85
9	0.289	-10.78	81	0.982	-0.16	153	0.193	-14.29	225	0.183	-14.75	297	0.917	-0.75
10	0.282	-11.00	82	0.987	-0.11	154	0.191	-14.38	226	0.182	-14.80	298	0.928	-0.65
11	0.276	-11.18	83	0.990	-0.09	155	0.189	-14.47	227	0.182	-14.80	299	0.937	-0.57
12	0.270	-11.37	84	0.993	-0.06	156	0.188	-14.52	228	0.182	-14.80	300	0.946	-0.48
13	0.265	-11.54	85	0.996	-0.03	157	0.187	-14.56	229	0.182	-14.80	301	0.955	-0.40
14	0.260	-11.70	86	1.000	0.00	158	0.186	-14.61	230	0.181	-14.85	302	0.964	-0.32
15	0.257	-11.80	87	1.000	0.00	159	0.185	-14.66	231	0.181	-14.85	303	0.970	-0.26
16	0.253	-11.94	88	1.000	0.00	160	0.184	-14.70	232	0.181	-14.85	304	0.976	-0.21
17	0.250	-12.04	89	0.999	-0.01	161	0.184	-14.70	233	0.181	-14.85	305	0.982	-0.16
18	0.248	-12.11	90	0.997	-0.03	162	0.183	-14.75	234	0.182	-14.80	306	0.988	-0.10
19	0.248	-12.11	91	0.995	-0.04	163	0.182	-14.80	235	0.182	-14.80	307	0.990	-0.09
20	0.247	-12.15	92	0.993	-0.06	164	0.182	-14.80	236	0.182	-14.80	308	0.993	-0.06
21	0.248	-12.11	93	0.990	-0.09	165	0.182	-14.80	237	0.182	-14.80	309	0.995	-0.04
22	0.248	-12.11	94	0.988	-0.10	166	0.182	-14.80	238	0.183	-14.75	310	0.997	-0.03
23	0.250	-12.04	95	0.982	-0.16	167	0.181	-14.85	239	0.184	-14.70	311	0.999	-0.01
24	0.253	-11.94	96	0.976	-0.21	168	0.181	-14.85	240	0.184	-14.70	312	1.000	0.00
25	0.257	-11.80	97	0.970	-0.26	169	0.181	-14.85	241	0.185	-14.66	313	1.000	0.00
26	0.260	-11.70	98	0.964	-0.32	170	0.181	-14.85	242	0.186	-14.61	314	1.000	0.00
27	0.265	-11.54	99	0.955	-0.40	171	0.182	-14.80	243	0.187	-14.56	315	0.996	-0.03
28	0.270	-11.37	100	0.946	-0.48	172	0.182	-14.80	244	0.188	-14.52	316	0.993	-0.06
29	0.276	-11.18	101	0.937	-0.57	173	0.182	-14.80	245	0.189	-14.47	317	0.990	-0.09
30	0.282	-11.00	102	0.928	-0.65	174	0.182	-14.80	246	0.191	-14.38	318	0.987	-0.11
31	0.289	-10.78	103	0.917	-0.75	175	0.183	-14.75	247	0.193	-14.29	319	0.982	-0.16
32	0.297	-10.54	104	0.907	-0.85	176	0.183	-14.75	248	0.195	-14.20	320	0.977	-0.20
33	0.307	-10.26	105	0.896	-0.95	177	0.183	-14.75	249	0.199	-14.02	321	0.970	-0.26
34	0.316	-10.01	106	0.884	-1.07	178	0.184	-14.70	250	0.202	-13.89	322	0.963	-0.33
35	0.328	-9.68	107	0.871	-1.20	179	0.185	-14.66	251	0.207	-13.68	323	0.953	-0.42
36	0.339	-9.40	108	0.858	-1.33	180	0.185	-14.66	252	0.212	-13.47	324	0.944	-0.50
37	0.350	-9.12	109	0.843	-1.48	181	0.186	-14.61	253	0.220	-13.15	325	0.933	-0.60
38	0.361	-8.85	110	0.828	-1.64	182	0.186	-14.61	254	0.229	-12.80	326	0.922	-0.71
39	0.372	-8.59	111	0.812	-1.81	183	0.187	-14.56	255	0.242	-12.32	327	0.910	-0.82
40	0.382	-8.36	112	0.796	-1.98	184	0.187	-14.56	256	0.255	-11.87	328	0.899	-0.92
41	0.396	-8.05	113	0.780	-2.16	185	0.188	-14.52	257	0.269	-11.40	329	0.885	-1.06
42	0.410	-7.74	114	0.764	-2.34	186	0.188	-14.52	258	0.282	-11.00	330	0.872	-1.19
43	0.427	-7.39	115	0.748	-2.52	187	0.189	-14.47	259	0.297	-10.54	331	0.857	-1.34
44	0.443	-7.07	116	0.732	-2.71	188	0.189	-14.47	260	0.312	-10.12	332	0.842	-1.49
45	0.457	-6.80	117	0.715	-2.91	189	0.190	-14.42	261	0.327	-9.71	333	0.825	-1.67
46	0.471	-6.54	118	0.697	-3.14	190	0.190	-14.42	262	0.343	-9.29	334	0.808	-1.85
47	0.487	-6.25	119	0.680	-3.35	191	0.190	-14.42	263	0.359	-8.90	335	0.792	-2.03
48	0.502	-5.99	120	0.663	-3.57	192	0.190	-14.42	264	0.375	-8.52	336	0.777	-2.19
49	0.519	-5.70	121	0.645	-3.81	193	0.191	-14.38	265	0.391	-8.16	337	0.761	-2.37
50	0.536	-5.42	122	0.628	-4.04	194	0.191	-14.38	266	0.407	-7.81	338	0.745	-2.56
51	0.553	-5.15	123	0.610	-4.29	195	0.192	-14.33	267	0.424	-7.45	339	0.727	-2.77
52	0.570	-4.88	124	0.591	-4.57	196	0.192	-14.33	268	0.441	-7.11	340	0.710	-2.97
53	0.588	-4.61	125	0.573	-4.84	197	0.192	-14.33	269	0.460	-6.74	341	0.693	-3.19
54	0.606	-4.35	126	0.556	-5.10	198	0.193	-14.29	270	0.479	-6.39	342	0.676	-3.40
55	0.624	-4.10	127	0.537	-5.40	199	0.193	-14.29	271	0.498	-6.06	343	0.659	-3.62
56	0.641	-3.86	128	0.517	-5.73	200	0.193	-14.29	272	0.517	-5.73	344	0.641	-3.86
57	0.659	-3.62	129	0.498	-6.06	201	0.193	-14.29	273	0.537	-5.40	345	0.624	-4.10
58	0.676	-3.40	130	0.479	-6.39	202	0.193	-14.29	274	0.556	-5.10	346	0.606	-4.35
59	0.693	-3.19	131	0.460	-6.74	203	0.192	-14.33	275	0.573	-4.84	347	0.588	-4.61
60	0.710	-2.97	132	0.441	-7.11	204	0.192	-14.33	276	0.591	-4.57	348	0.570	-4.88
61	0.727	-2.77	133	0.424	-7.45	205	0.192	-14.33	277	0.610	-4.29	349	0.553	-5.15
62	0.745	-2.56	134	0.407	-7.81	206	0.191	-14.38	278	0.628	-4.04	350	0.536	-5.42
63	0.761	-2.37	135	0.391	-8.16	207	0.191	-14.38	279	0.645	-3.81	351	0.519	-5.70
64	0.777	-2.19	136	0.375	-8.52	208	0.190	-14.42	280	0.663	-3.57	352	0.502	-5.99
65	0.792	-2.03	137	0.359	-8.90	209	0.190	-14.42	281	0.680	-3.35	353	0.487	-6.25
66	0.808	-1.85	138	0.343	-9.29	210	0.190	-14.42	282	0.697	-3.14	354	0.471	-6.54
67	0.825	-1.67	139	0.327	-9.71	211	0.190	-14.42	283	0.715	-2.91	355	0.457	-6.80
68	0.842	-1.49	140	0.312	-10.12	212	0.189	-14.47	284	0.732	-2.71	356	0.443	-7.07
69	0.857	-1.34	141	0.297	-10.54	213	0.189	-14.47	285	0.748	-2.52	357	0.427	-7.39
70	0.872	-1.19	142	0.282	-11.00	214	0.188	-14.52	286	0.764	-2.34	358	0.410	-7.74
71	0.885	-1.06	143	0.269	-11.40	215	0.188	-14.52	287	0.780	-2.16	359	0.396	-8.05

ANDREW CORPORATION
10500 W. 153rd Street
Orland Park, Illinois U.S.A. 60462

Company:
Site: Richmond, VA
Proposal Number: NEW Channel 39

Date: 12/10/01

Author:



ANDREW

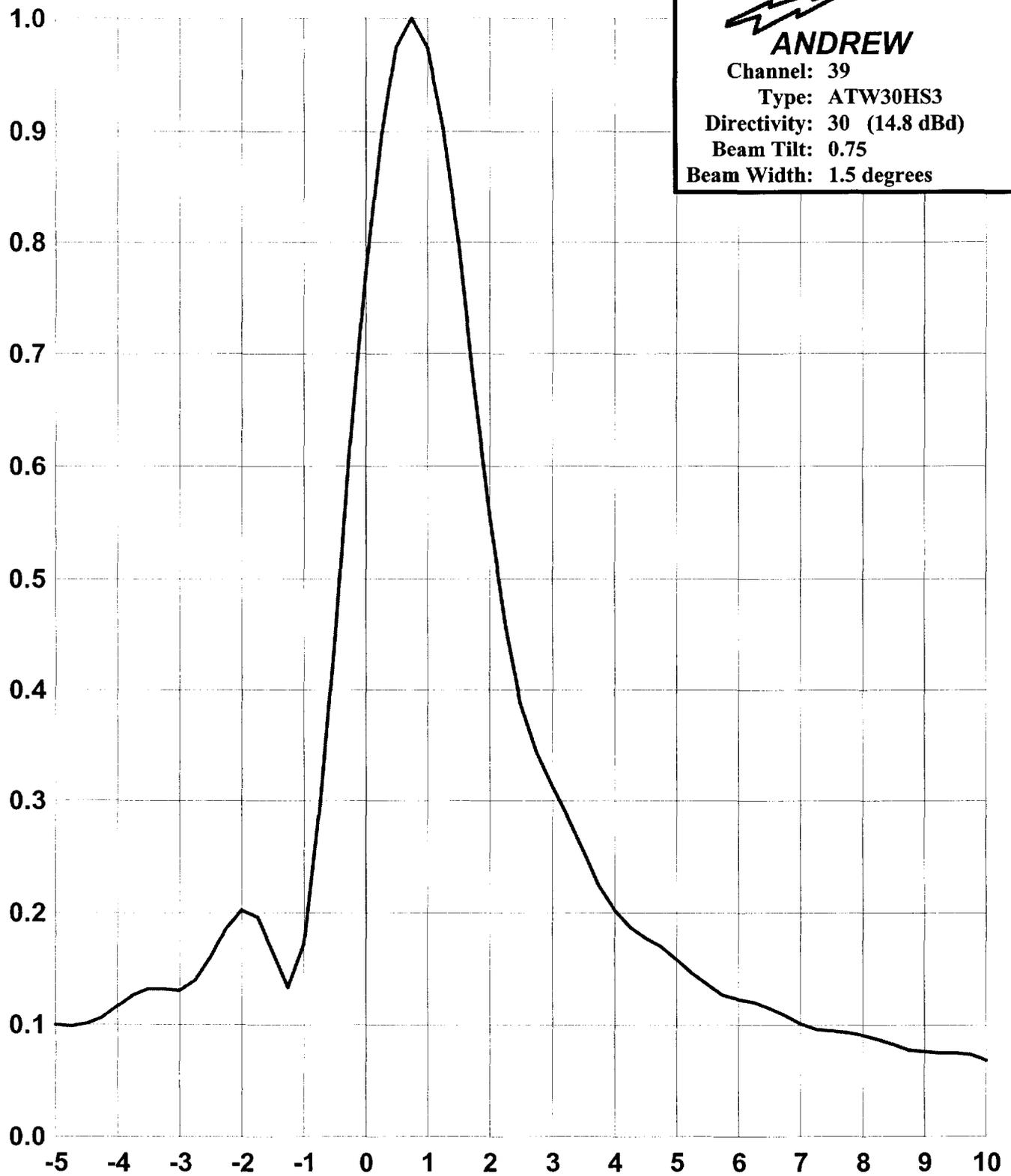
Channel: 39

Type: ATW30HS3

Directivity: 30 (14.8 dBd)

Beam Tilt: 0.75

Beam Width: 1.5 degrees



ANDREW CORPORATION
10500 W. 153rd Street
Orland Park, Illinois U.S.A. 60462

Company: Richmond, VA
Site: Richmond, VA
Proposal Number: NEW Channel 39

Date: 12/10/01

Author:



Angle	Amp	dB									
-5.00	0.099	-20.09	9.00	0.076	-22.38	36.00	0.025	-32.04	63.50	0.028	-31.06
-4.75	0.098	-20.18	9.25	0.075	-22.50	36.50	0.025	-32.04	64.00	0.028	-31.06
-4.50	0.100	-20.00	9.50	0.075	-22.50	37.00	0.024	-32.40	64.50	0.028	-31.06
-4.25	0.106	-19.49	9.75	0.073	-22.73	37.50	0.024	-32.40	65.00	0.027	-31.37
-4.00	0.116	-18.71	10.00	0.069	-23.22	38.00	0.025	-32.04	65.50	0.026	-31.70
-3.75	0.126	-17.99	10.50	0.065	-23.74	38.50	0.025	-32.04	66.00	0.026	-31.70
-3.50	0.131	-17.65	11.00	0.065	-23.74	39.00	0.024	-32.40	66.50	0.027	-31.37
-3.25	0.131	-17.65	11.50	0.062	-24.15	39.50	0.023	-32.77	67.00	0.028	-31.06
-3.00	0.130	-17.72	12.00	0.057	-24.88	40.00	0.024	-32.40	67.50	0.029	-30.75
-2.75	0.139	-17.14	12.50	0.056	-25.04	40.50	0.024	-32.40	68.00	0.029	-30.75
-2.50	0.161	-15.86	13.00	0.055	-25.19	41.00	0.023	-32.77	68.50	0.029	-30.75
-2.25	0.186	-14.61	13.50	0.051	-25.85	41.50	0.023	-32.77	69.00	0.028	-31.06
-2.00	0.202	-13.89	14.00	0.049	-26.20	42.00	0.024	-32.40	69.50	0.027	-31.37
-1.75	0.196	-14.15	14.50	0.049	-26.20	42.50	0.025	-32.04	70.00	0.026	-31.70
-1.50	0.166	-15.60	15.00	0.046	-26.74	43.00	0.024	-32.40	70.50	0.027	-31.37
-1.25	0.133	-17.52	15.50	0.044	-27.13	43.50	0.023	-32.77	71.00	0.028	-31.06
-1.00	0.171	-15.34	16.00	0.045	-26.94	44.00	0.024	-32.40	71.50	0.029	-30.75
-0.75	0.294	-10.63	16.50	0.043	-27.33	44.50	0.024	-32.40	72.00	0.030	-30.46
-0.50	0.453	-6.88	17.00	0.040	-27.96	45.00	0.024	-32.40	72.50	0.031	-30.17
-0.25	0.621	-4.14	17.50	0.041	-27.74	45.50	0.023	-32.77	73.00	0.030	-30.46
0.00	0.774	-2.23	18.00	0.041	-27.74	46.00	0.023	-32.77	73.50	0.029	-30.75
0.25	0.897	-0.94	18.50	0.038	-28.40	46.50	0.024	-32.40	74.00	0.027	-31.37
0.50	0.974	-0.23	19.00	0.037	-28.64	47.00	0.025	-32.04	74.50	0.026	-31.70
0.75	1.000	0.00	19.50	0.038	-28.40	47.50	0.024	-32.40	75.00	0.024	-32.40
1.00	0.974	-0.23	20.00	0.036	-28.87	48.00	0.023	-32.77	75.50	0.024	-32.40
1.25	0.901	-0.91	20.50	0.034	-29.37	48.50	0.023	-32.77	76.00	0.025	-32.04
1.50	0.796	-1.98	21.00	0.035	-29.12	49.00	0.024	-32.40	76.50	0.026	-31.70
1.75	0.675	-3.41	21.50	0.035	-29.12	49.50	0.025	-32.04	77.00	0.027	-31.37
2.00	0.556	-5.10	22.00	0.032	-29.90	50.00	0.024	-32.40	77.50	0.029	-30.75
2.25	0.457	-6.80	22.50	0.032	-29.90	50.50	0.024	-32.40	78.00	0.030	-30.46
2.50	0.388	-8.22	23.00	0.033	-29.63	51.00	0.024	-32.40	78.50	0.031	-30.17
2.75	0.344	-9.27	23.50	0.032	-29.90	51.50	0.025	-32.04	79.00	0.031	-30.17
3.00	0.313	-10.09	24.00	0.030	-30.46	52.00	0.025	-32.04	79.50	0.030	-30.46
3.25	0.285	-10.90	24.50	0.031	-30.17	52.50	0.025	-32.04	80.00	0.029	-30.75
3.50	0.254	-11.90	25.00	0.031	-30.17	53.00	0.024	-32.40	80.50	0.028	-31.06
3.75	0.225	-12.96	25.50	0.029	-30.75	53.50	0.024	-32.40	81.00	0.026	-31.70
4.00	0.202	-13.89	26.00	0.029	-30.75	54.00	0.025	-32.04	81.50	0.023	-32.77
4.25	0.187	-14.56	26.50	0.030	-30.46	54.50	0.026	-31.70	82.00	0.021	-33.56
4.50	0.178	-14.99	27.00	0.029	-30.75	55.00	0.025	-32.04	82.50	0.018	-34.89
4.75	0.170	-15.39	27.50	0.027	-31.37	55.50	0.024	-32.40	83.00	0.016	-35.92
5.00	0.159	-15.97	28.00	0.028	-31.06	56.00	0.024	-32.40	83.50	0.013	-37.72
5.25	0.146	-16.71	28.50	0.029	-30.75	56.50	0.025	-32.04	84.00	0.011	-39.17
5.50	0.135	-17.39	29.00	0.027	-31.37	57.00	0.026	-31.70	84.50	0.009	-40.92
5.75	0.127	-17.92	29.50	0.025	-32.04	57.50	0.026	-31.70	85.00	0.007	-43.10
6.00	0.123	-18.20	30.00	0.027	-31.37	58.00	0.026	-31.70	85.50	0.006	-44.44
6.25	0.120	-18.42	30.50	0.028	-31.06	58.50	0.025	-32.04	86.00	0.005	-46.02
6.50	0.115	-18.79	31.00	0.026	-31.70	59.00	0.025	-32.04	86.50	0.004	-47.96
6.75	0.108	-19.33	31.50	0.025	-32.04	59.50	0.025	-32.04	87.00	0.003	-50.46
7.00	0.101	-19.91	32.00	0.026	-31.70	60.00	0.027	-31.37	87.50	0.003	-50.46
7.25	0.096	-20.35	32.50	0.027	-31.37	60.50	0.027	-31.37	88.00	0.002	-53.98
7.50	0.094	-20.54	33.00	0.025	-32.04	61.00	0.027	-31.37	88.50	0.002	-53.98
7.75	0.093	-20.63	33.50	0.024	-32.40	61.50	0.026	-31.70	89.00	0.001	-60.00
8.00	0.090	-20.92	34.00	0.026	-31.70	62.00	0.026	-31.70	89.50	0.001	-60.00
8.25	0.087	-21.21	34.50	0.026	-31.70	62.50	0.026	-31.70	90.00	0.000	---
8.50	0.082	-21.72	35.00	0.025	-32.04	63.00	0.027	-31.37			
8.75	0.078	-22.16	35.50	0.025	-32.04	63.50	0.028	-31.06			

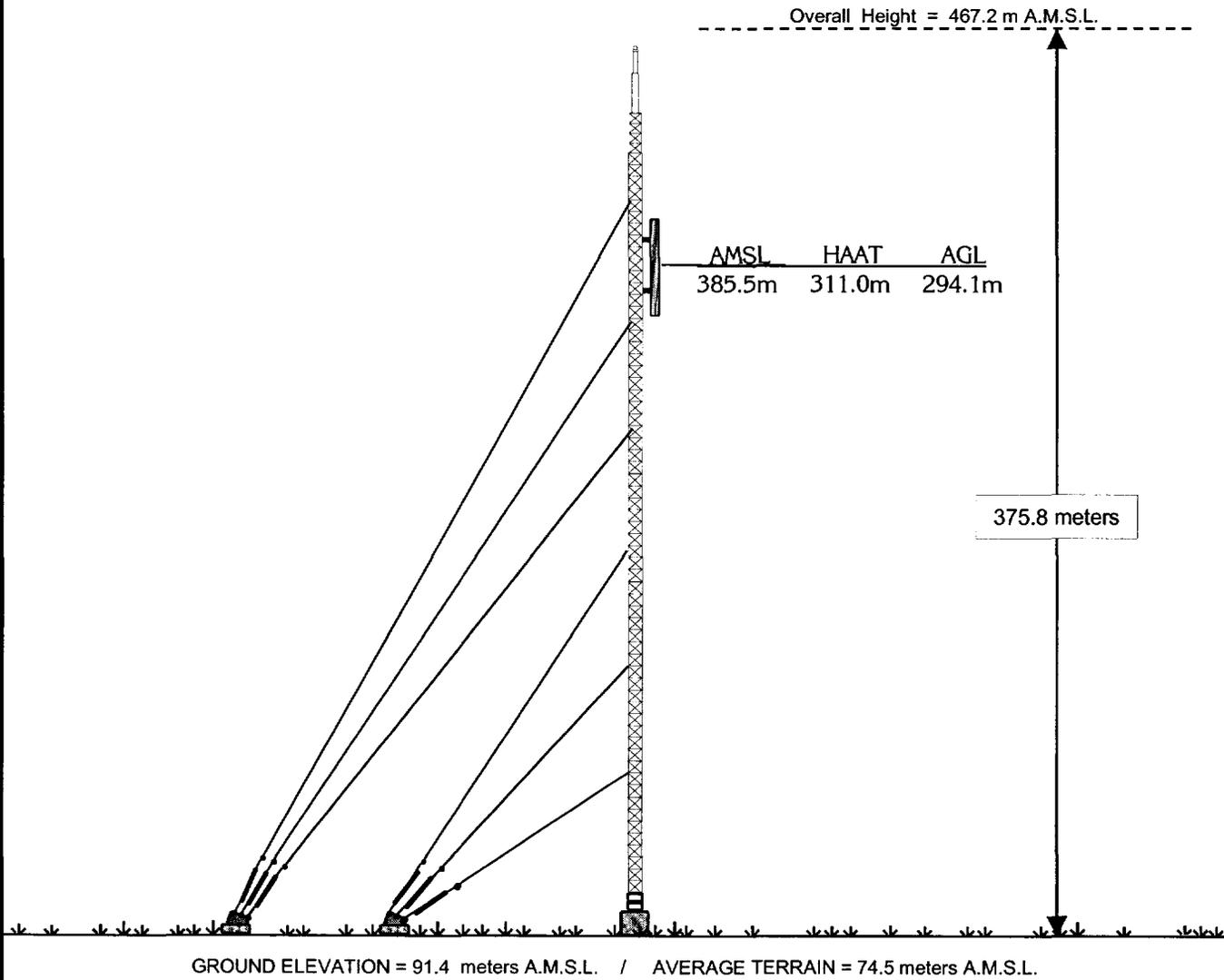
ANDREW CORPORATION
10500 W. 153rd Street
Orland Park, Illinois U.S.A. 60462

Company:
Site: Richmond, VA
Proposal Number: NEW Channel 39

Date: 12/10/01

Author:

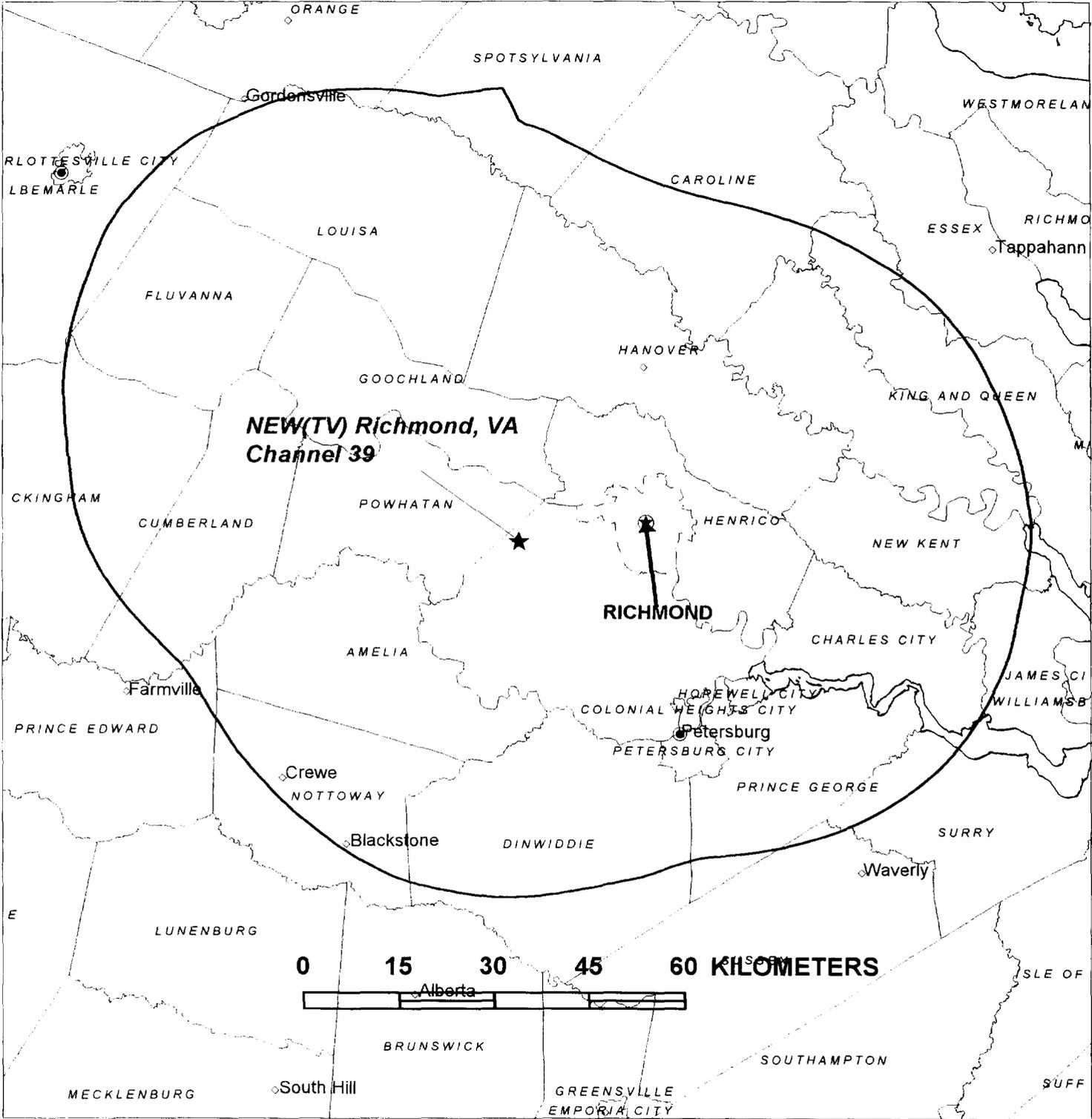
COORDINATES NAD-27
NORTH LATITUDE: 37° 30' 21"
WEST LONGITUDE: 77° 41' 58"



VERTICAL PLAN ANTENNA SKETCH
NEW (TV) - RICHMOND, VIRGINIA
Ch. 39 - 3500 kW - 311 M HAAT
DECEMBER, 2001

CARL T. JONES
CORPORATION

NOTE : NOT DRAWN TO SCALE



○ Grade B Predicted Contour
311m HAAT, 3500kW ERP
Population : 1,118,669 (2000 census)
Coverage Area : 14,440 sq. km.

**Predicted Coverage Contour
Richmond, Virginia
NEW Channel 39 and
Surrounding Co-Channels
December, 2001**

APPENDIX A
SUMMARY OF RADIOFREQUENCY
RADIATION STUDY
 NEW(TV), Richmond, Virginia
 CHANNEL 39, 3500 kW (DA-MAX), 311.0 m HAAT
 December, 2001

<u>CALL</u>	<u>SERVICE</u>	<u>CHANNEL</u>	<u>FREQUENCY</u>	<u>POLARIZATION</u>	<u>ANTENNA HEIGHT **</u>	<u>ERP (kW)</u>	<u>VERT. RELATIVE FIELD FACTOR</u>	<u>PREDICTED POWER DENSITY (mW/cm²)</u>	<u>FCC UNCONTROLLED LIMIT (mW/cm²)</u>	<u>PERCENT OF UNCONTROLLED LIMIT</u>
NEW(TV)	TV	39	623	H	366	3500.000	0.300	0.03928	0.415	9.46%
WRLH(DT)	DT	26	545	H	366	930.000	0.300	0.02087	0.363	5.74%
WRLH(TV)	TV	35	599	H	365	5000.000	0.300	0.05642	0.399	14.18%
WBTJ(FM)	FM	293	106.5	H & V	357	7.600	0.300	0.00036	0.200	0.18%
TOTAL PERCENTAGE OF ANSI VALUE=										29.51%

*** The antenna heights indicated above are 2 meters less than the actual antenna heights so that the predicted power densities consider the 2 meter human height allowance.*