

ORIGINAL

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

In the Matter of	)	
	)	
Amendment of Section 73.622(b) of	)	MM Docket No.
the Commission's Rules, DTV	)	RM No.
Table of Allotments	)	
(Spokane, Washington)	)	

RECEIVED

JAN 25 2002

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: Chief, Allocations Branch

**PETITION FOR RULEMAKING AND  
REQUEST FOR EXPEDITED ACTION**

1. KSKN Television, Inc., a licensee subsidiary of Belo Corp. (collectively, "Belo"), by its attorneys and pursuant to Section 73.623 of the Commission's rules, hereby requests that the Commission institute a rulemaking proceeding for the purpose of amending the Table of Allotments for the digital television service ("DTV Table") to change the initial DTV channel allotment for station KSKN-DT, Spokane, Washington, from channel 36 to channel 48. As explained further below, Belo respectfully requests expedited action on this Petition.

2. Belo, through subsidiaries, is the licensee of 18 television stations throughout the United States. It has worked diligently to make a full and timely transition to DTV operations at all of its stations, even agreeing to accelerate the schedule for DTV conversion at its three largest stations in Dallas, Houston, and Seattle. These three stations, plus an additional three, are now on the air with a digital signal, and Belo is working hard to put the balance of its stations on the air in a timely manner. With respect to KSKN-DT, however, Belo must address technical challenges requiring a change in the station's DTV channel to ensure that the station's viewers receive the best digital service possible.

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3. KSKN(TV), Spokane, Washington, currently operates on NTSC channel 22 and has been allotted DTV channel 36 for its digital operations. Due to the presence of KUID-DT, channel 35, Moscow, Idaho, Belo is severely constrained in its ability to increase KSKN-DT's power to a level comparable to that of other stations in the market.<sup>1</sup> Accordingly, after acquiring the station in October 2001, Belo immediately set out to identify an alternate channel. As demonstrated in the attached engineering, channel 48 can be used from the present KSKN-DT site and permits the station to increase power to a full 1000 kW. This will enable KSKN-DT to achieve parity in the Spokane market and provide DTV service to a much greater population.

4. Belo thus proposes to amend the DTV Table of Allotments to substitute channel 48 in place of channel 36 at Spokane for the use of KSKN-DT. As demonstrated in the attached engineering exhibit, the allocation of channel 48 at the KSKN-DT reference coordinates would be fully-spaced pursuant to the spacing criteria for new DTV allocations set forth in Section 73.623(d) of the Commission's rules. Moreover, such a change would not even result in as much as 0.1% additional interference to any other authorized DTV broadcast station, DTV allotment or analog television station. See Section 73.623(c)(2) of the Commission's rules. In sum, the change to DTV channel 48 will further the public interest in that it will permit KSKN-DT to serve a much larger area and population (717,184 people versus 632,755 people on channel 36) without increasing the amount of interference received by any other station.

5. Belo is prepared to move forward quickly to complete construction of KSKN-DT and to initiate DTV service. The KSKN-DT transmitter site, however, is located at a high elevation on top of a mountain, and snow and ice, plus an estimated four-month period for

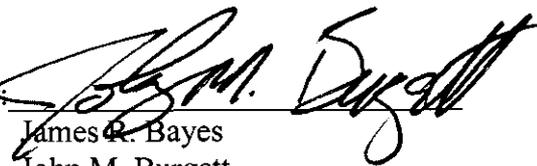
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<sup>1</sup> The other full-power commercial television stations with DTV allotments in the Spokane market are: KREM-DT (UHF channel 20, 979 kW); KXLY-DT (VHF channel 13, 23.3 kW); KHQ-DT (UHF channel 15, 1000 kW); and KAYU-DT (UHF channel 30, 1000 kW) (pending Form 301). Belo, through a subsidiary, is the licensee of KREM-TV.

construction and delivery of the station's DTV transmitter and antenna, leave Belo a very limited window of opportunity to construct KSKN-DT. Accordingly, in light of the foregoing, Belo respectfully requests that the Commission expeditiously commence a rulemaking proceeding to amend the DTV Table of Allotments to allot and assign DTV channel 48 (in lieu of channel 36) to Spokane, Washington, for use by KSKN-DT.

Respectfully submitted,

**KSKN TELEVISION, INC.**

By:   
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John M. Burgett

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Washington, DC 20006  
(202) 719-7000

Its Attorneys

January 25, 2002

EXHIBIT A

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of KSKN-TV, INC., licensee of Television Station KSKN, Spokane, Washington, in support of its Petition for Rulemaking to substitute DTV Channel 48 for DTV Channel 36 in Spokane.

Due to significant interference concerns for DTV Channel 36 with respect to KUID-DT (Channel 35 in Moscow, Idaho), KSKN-DT cannot be properly maximized on its present channel. However, a detailed channel search reveals that DTV Channel 48 can be used in Spokane from the present KSKN site and with specific, maximized operating parameters.

The proposed site, at 47° 35' 41", 117° 17' 53", is plotted in Exhibit B. For the purposes of our interference studies, we assumed that a Dielectric omnidirectional antenna would be side-mounted on the present KSKN tower, as shown in Exhibit C. The proposed effective antenna height is 1298 meters AMSL, and the main-lobe ERP is 1000 kw. Proposed operating parameters are listed in Exhibit D, and Exhibit E provides the antenna radiation pattern data for the proposed antenna. Exhibit F is a tabulation of terrain and contour data for the proposed facility.

The predicted service contours are plotted in Exhibit G. As shown, the entire community of Spokane is contained within the proposed 48 db $\mu$  contour, as required in §73.625(a) of the Rules. Exhibit H is an interference study, which concludes that the

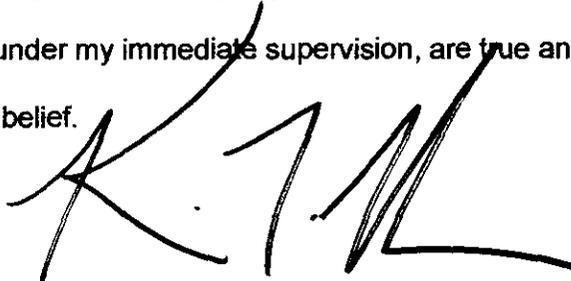
EXHIBIT A

proposed facility meets the requirements of §73.623(c)(2) of the Rules with respect to both NTSC and DTV facilities.

It is thus respectfully requested that the FCC substitute DTV Channel 48 for DTV Channel 36 in Spokane, Washington, in its Digital Television Table of Allotments in §73.622(b) of the Rules as follows:

<u>Community</u>	<u>Present Allotments</u>	<u>Proposed Allotments</u>
Spokane, Washington	13, 15, 20, 30, 36, *39	13, 15, 20, 30, *39, 48

I declare under penalty of perjury that the foregoing statements and the attached exhibits, which were prepared by me or under my immediate supervision, are true and correct to the best of my knowledge and belief.



KEVIN T. FISHER

January 15, 2002

20'

GLENROSE 0.3 MI.

476

(SPOKANE NE)

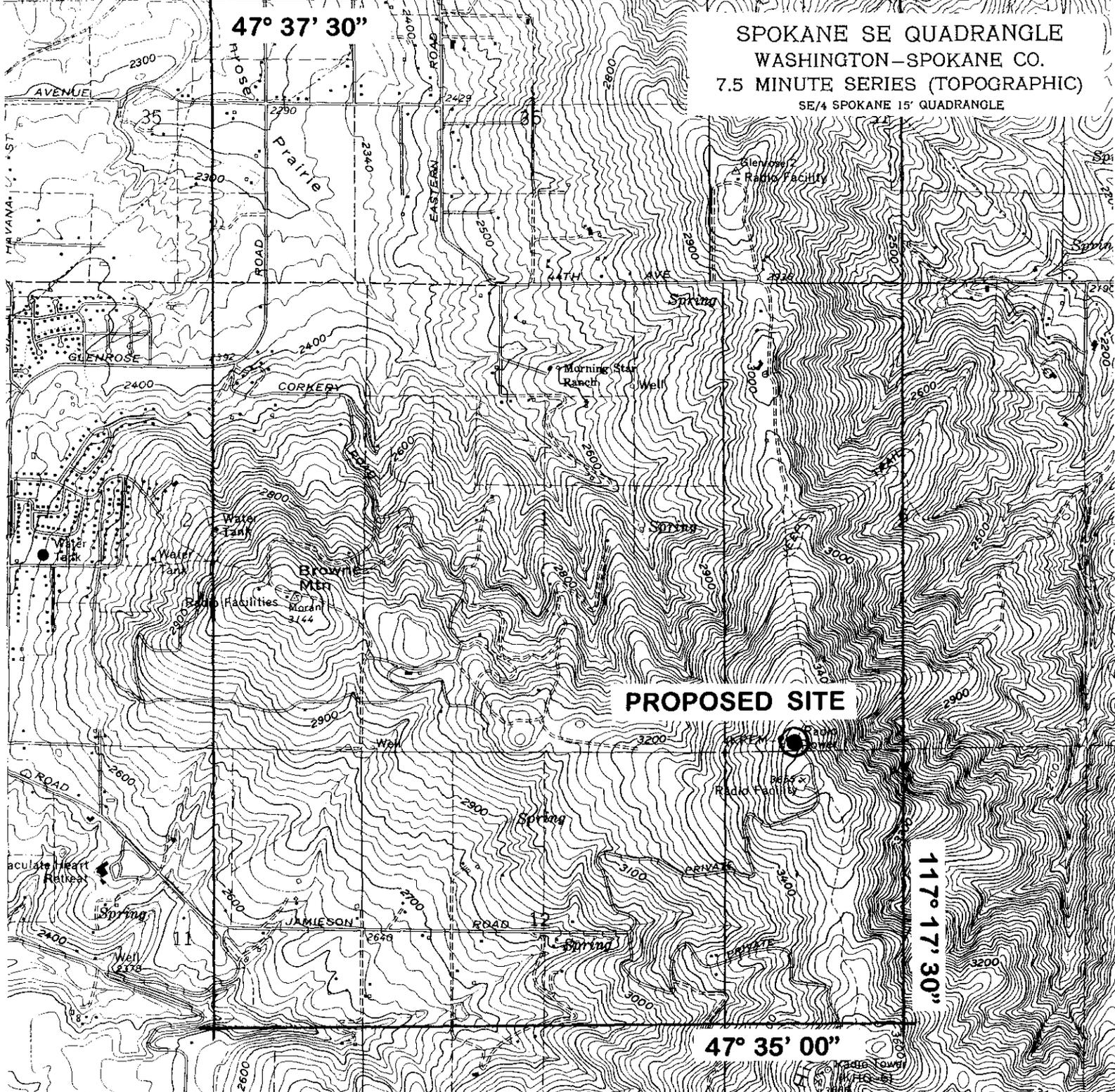
R. 43 E.

R. 44 E.

17°30"

47° 37' 30"

**SPOKANE SE QUADRANGLE**  
**WASHINGTON-SPOKANE CO.**  
**7.5 MINUTE SERIES (TOPOGRAPHIC)**  
 SE/4 SPOKANE 15' QUADRANGLE



**PROPOSED SITE**

117° 17' 30"

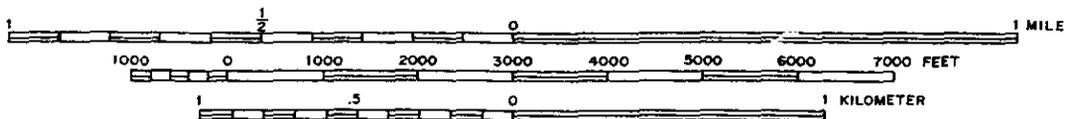
47° 35' 00"

**EXHIBIT B**

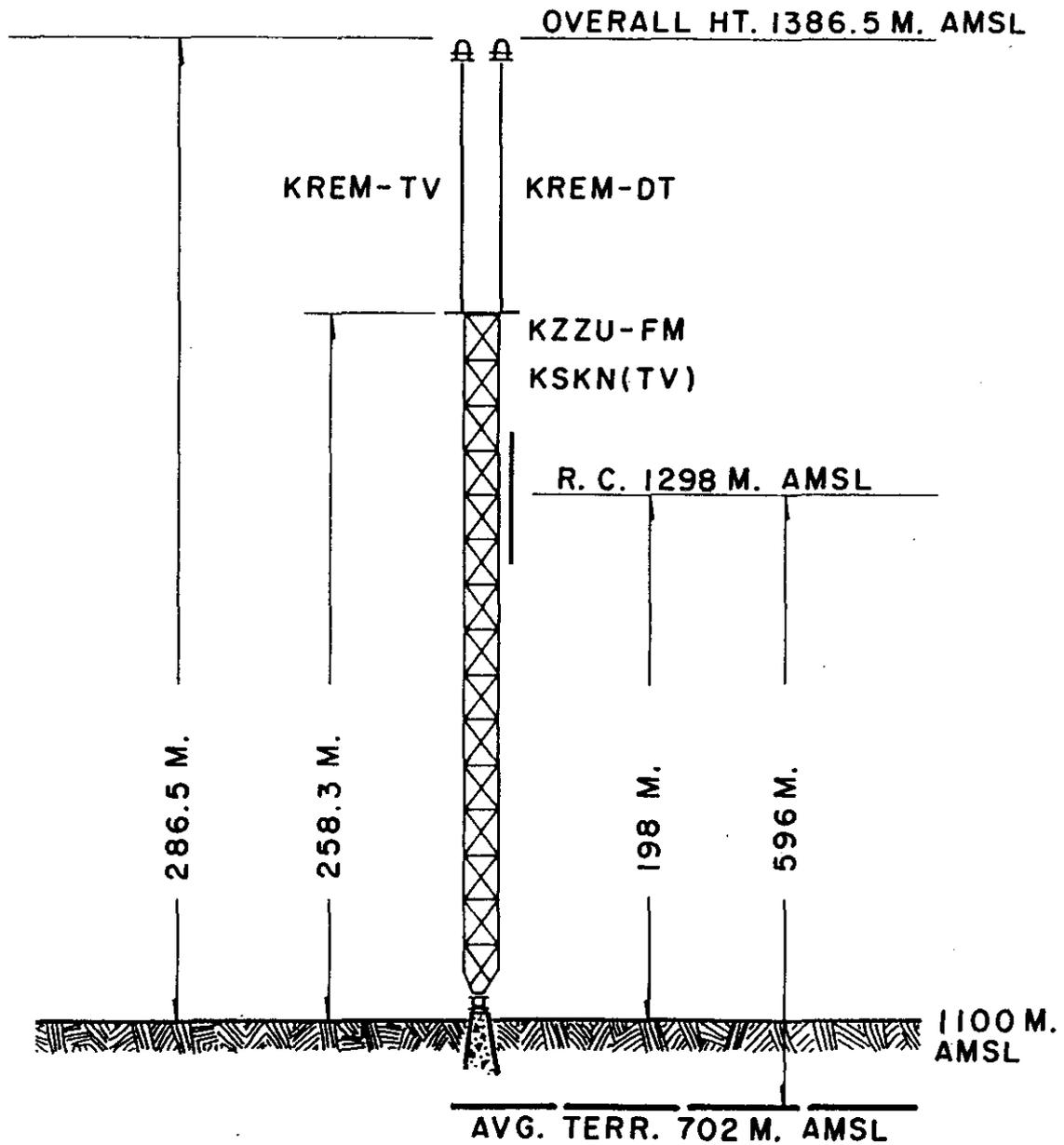
**LOCATION OF PROPOSED SITE**

**PROPOSED KSKN-DT  
CHANNEL 48 - SPOKANE, WASHINGTON**

**SMITH AND FISHER**



NOT TO SCALE



SITE COORDINATES:

47° 35' 41"

117° 17' 53"

EXHIBIT C

ELEVATION OF ANTENNA STRUCTURE

PROPOSED KSKN-DT  
CHANNEL 48 - SPOKANE, WASHINGTON

SMITH AND FISHER

PROPOSED OPERATING PARAMETERS

PROPOSED KSKN-DT ALLOTMENT  
CHANNEL 48 - SPOKANE, WASHINGTON

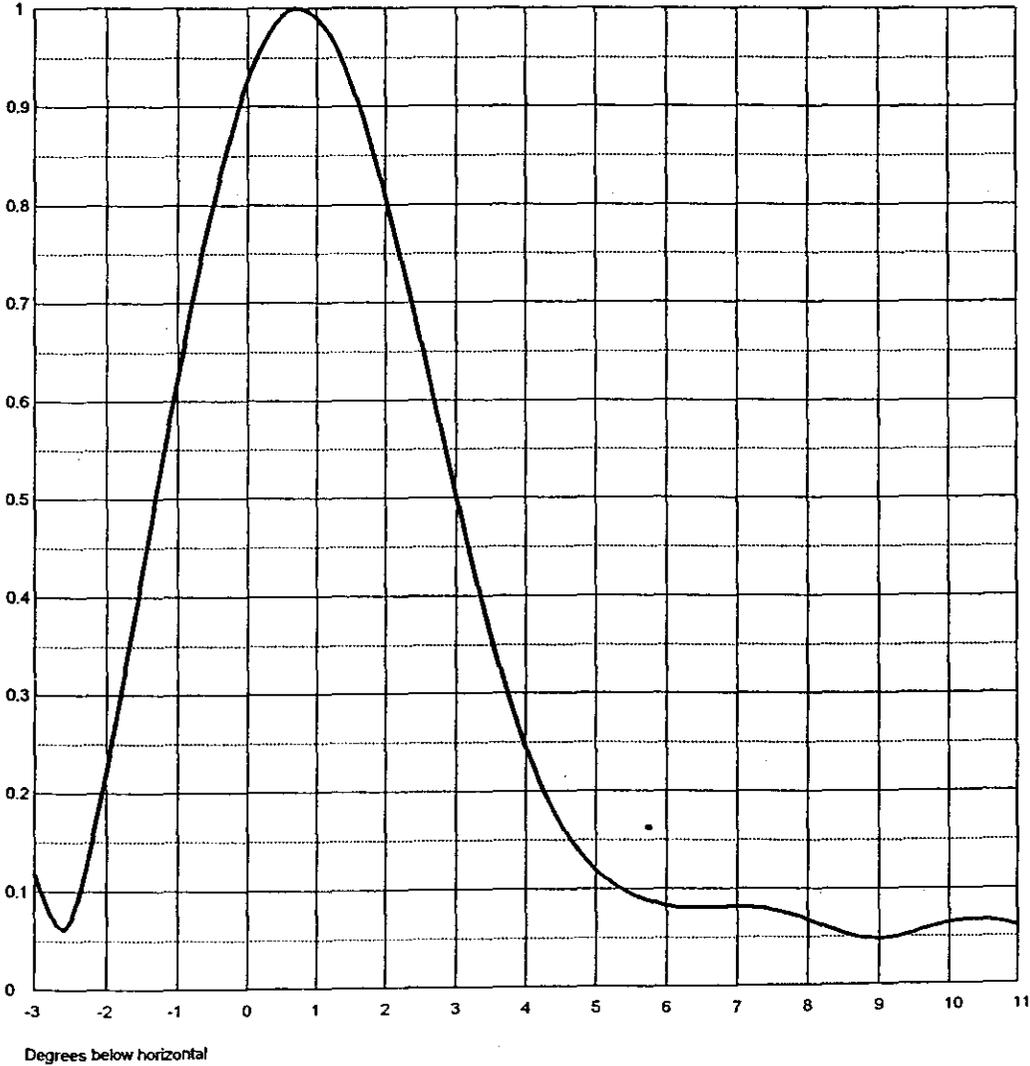
Channel Number:	48
Zone:	2
Site Coordinates:	47-35-41 117-17-53
Antenna Structure Registration Number:	1033992
Tower Site Elevation (AMSL):	1100 meters
Overall Tower Height AGL:	286.5 meters
Overall Tower Height AMSL:	1386.5 meters
Antenna Radiation Center AGL:	198 meters
Antenna Radiation Center (AMSL):	1298 meters
Average Terrain Elevation (2-10 miles):	702 meters
Antenna Radiation Center AAT:	596 meters
Antenna Make and Model:	Dielectric TFU-18DSO
Orientation:	Omnidirectional
Electrical Beam Tilt:	0.75°
Polarization:	Horizontal
Effective Radiated Power (Main-Lobe):	1000 kw



Date 28 Mar 1997  
Call Letters Channel  
Location  
Customer  
Antenna Type TFU-18DSC

**ELEVATION PATTERN**

RMS Gain at Main Lobe	15.5 (11.90 dB)	Beam Tilt	0.75 Degrees
RMS Gain at Horizontal	13.3 (11.24 dB)	Frequency	MHz
Calculated / Measured	Calculated	Drawing #	18Q155075



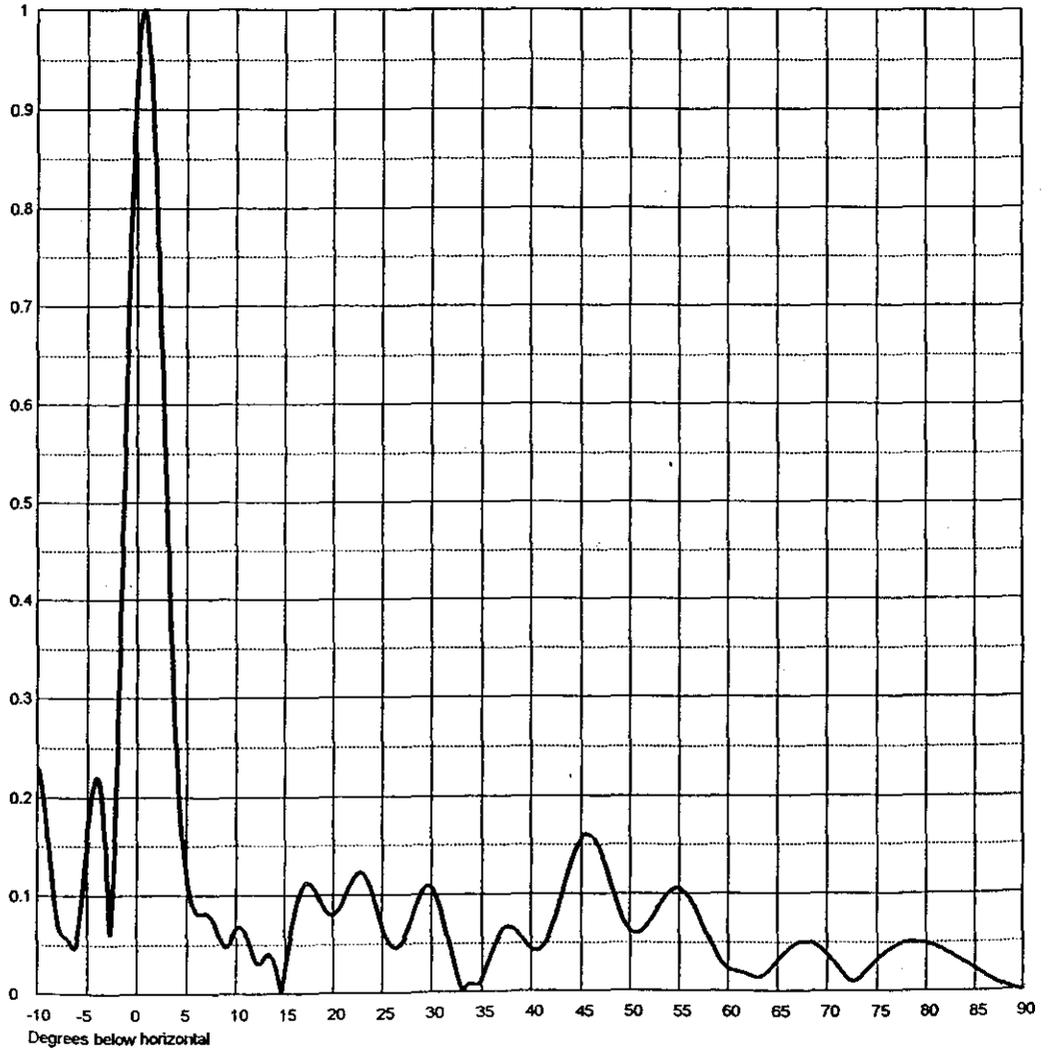
**EXHIBIT E-1**  
**ANTENNA ELEVATION PATTERN**  
**PROPOSED KSKN-DT**  
**CHANNEL 48 - SPOKANE, WASHINGTON**  
**SMITH AND FISHER**



Date 28 Mar 1997  
Call Letters Channel  
Location  
Customer  
Antenna Type TFU-18DSC

**ELEVATION PATTERN**

RMS Gain at Main Lobe	15.5 (11.90 dB)	Beam Tilt	0.75 Degrees
RMS Gain at Horizontal	13.3 (11.24 dB)	Frequency	MHz
Calculated / Measured	Calculated	Drawing #	18Q155075-90



**EXHIBIT E-2**  
**ANTENNA ELEVATION PATTERN**  
**PROPOSED KSKN-DT**  
**CHANNEL 48 - SPOKANE, WASHINGTON**  
**SMITH AND FISHER**

ELEVATION AND CONTOUR DATA  
 PROPOSED KSKN-DT ALLOTMENT  
 CHANNEL 48 - SPOKANE, WASHINGTON

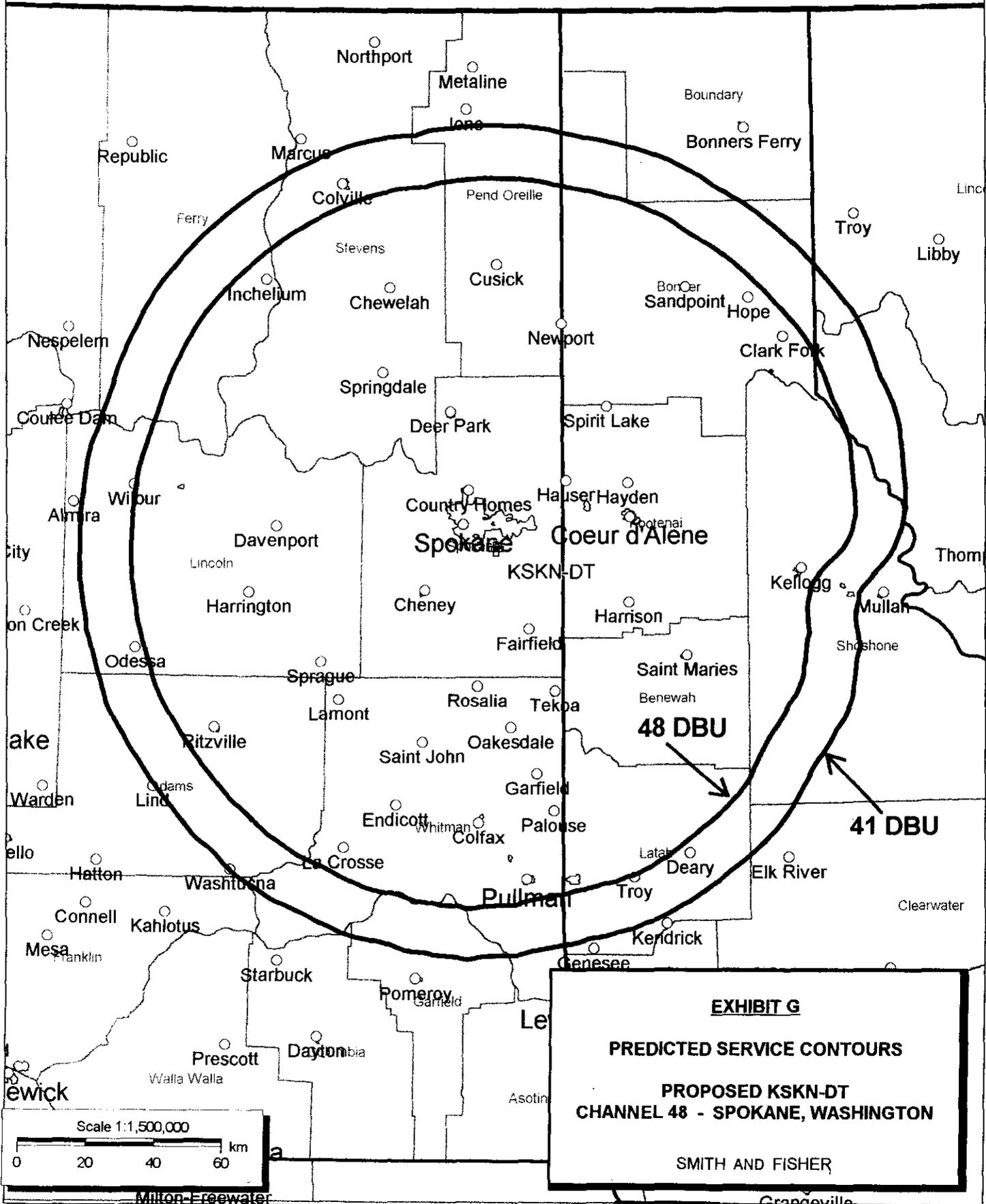
<u>Az.</u> <u>(° T)</u>	<u>Avg. Elv. AMSL</u> <u>2 to 10 Miles</u> <u>meters</u>	<u>Effective</u> <u>Ant. Ht. AAT</u> <u>meters</u>	<u>ERP</u> <u>(dbk)</u>	<u>Distance to Predicted</u> <u>Digital Contour (41 dbu)</u> <u>km.</u>
0	660	638	30.0	123
45	638	660	30.0	124
90	775	523	30.0	116
135	783	515	30.0	116
180	742	556	30.0	118
225	704	594	30.0	120
270	687	611	30.0	121
315	625	673	30.0	125

Height of radiation center above mean sea level	1298 meters
Height of average terrain above mean sea level	702 meters
Height of radiation center above average terrain	596 meters
Effective radiated power, main lobe, maximum	30.0 dbk, 1000 kw

Geographic Coordinates

N 47° 35' 41" W 117° 17' 53"

CANADA



**EXHIBIT G**

**PREDICTED SERVICE CONTOURS**

**PROPOSED KSKN-DT  
CHANNEL 48 - SPOKANE, WASHINGTON**

SMITH AND FISHER

## ALLOCATION AND INTERFERENCE STUDY

PROPOSED KSKN-DT ALLOTMENT  
CHANNEL 48 - SPOKANE, WASHINGTON

An interference study was conducted using the operating parameters of the facility described herein to determine if it meets the FCC's *de minimis* interference requirements of Section 73.623(c)(2) of the Commission's Rules. Specifically, the proposed facility may not cause more than two percent interference to the service population of a DTV or NTSC facility, nor can its interference contribution result in an excess of 10 percent total DTV interference to the service population of any DTV or NTSC facility.

The service area of a DTV station is defined as that which is calculated using the Longley-Rice propagation model to receive a signal of 41 db $\mu$  or greater and lies within the predicted 41 db $\mu$  contour of the station using the (50,90) curves, the station's effective radiated power, and 2-10 mile terrain averages along each radial.

In evaluating the interference effect of this proposal, we have relied upon the V-Soft Communications "Probe" computer program, which has been found generally to mimic the FCC's program. Our study utilizes a cell size of 1 kilometer, a spacing increment of 0.1 kilometer along each azimuth, and the 2000 U.S. Census. Changes in interference caused by the proposed allotment facility to other pertinent stations are tabulated in Exhibit H-2.

As indicated, the proposed KTBN-DT facility would not contribute more than two percent DTV interference to the service population of any affected NTSC or DTV station. In addition, this proposal does not result in any NTSC or DTV station receiving more than ten percent total DTV interference to viewers living within the station's authorized or proposed service area.

EXHIBIT H-1

It should be noted that even with the proposed facilities, the coverage of KSKN-DT will not equal the coverage of at least two other stations in the Spokane market. For example, KHQ-DT has been allotted 1000 kw at 653 meters, whereas the instant proposal specifies 1000 kw at 596 meters.

Therefore, this proposal meets the FCC's *de minimis* interference standards as defined in Section 73.623(c)(3) of the Commission's Rules.

The allotment proposed herein has been studied with respect to Canadian DTV assignments. Exhibit H-3 is a map upon which the predicted 19.5 db $\mu$  interference contour (50,10) from the proposed Spokane allotment is plotted. Also shown are the transition protected arcs for co-channel DTV assignments in Chilliwack and Cranbrook, British Columbia. Although there appears to be significant overlap between the protected contours of the Canadian assignments and the interference contour of the proposed Spokane assignment, there is significant intervening terrain between Spokane and the U.S./Canadian border, as shown by the terrain profiles provided in Exhibits H-4 and H-5. Therefore, it is believed that the Spokane proposal will not cause actual interference within the Canadian service areas of the Cranbrook and Chilliwack DTV stations, once constructed.

*DE MINIMIS* INTERFERENCE ANALYSIS  
 PROPOSED KSKN-DT ALLOTMENT  
 CHANNEL 48 - SPOKANE, WASHINGTON

NTSC FACILITIES

				<u>INTERFERENCE LOSSES (POPULATION)</u>								
<u>Call Sign</u>	<u>City, State</u>	<u>Ch.</u>	<u>Grade B Population F(50,50)</u>	<u>NTSC &amp; DTV</u>				<u>NTSC &amp; DTV</u>				
				<u>NTSC Only</u>	<u>Without KSKN-DT</u>	<u>Unmasked DTV</u>	<u>%<sup>1</sup></u>	<u>With KSKN-DT</u>	<u>Unmasked DTV</u>	<u>%<sup>1</sup></u>	<u>KSKN-DT Contribution</u>	<u>%<sup>2</sup></u>
KGPX	Spokane, WA	34	601,413	817	900	83	< 0.1	926	109	< 0.1	26	< 0.1

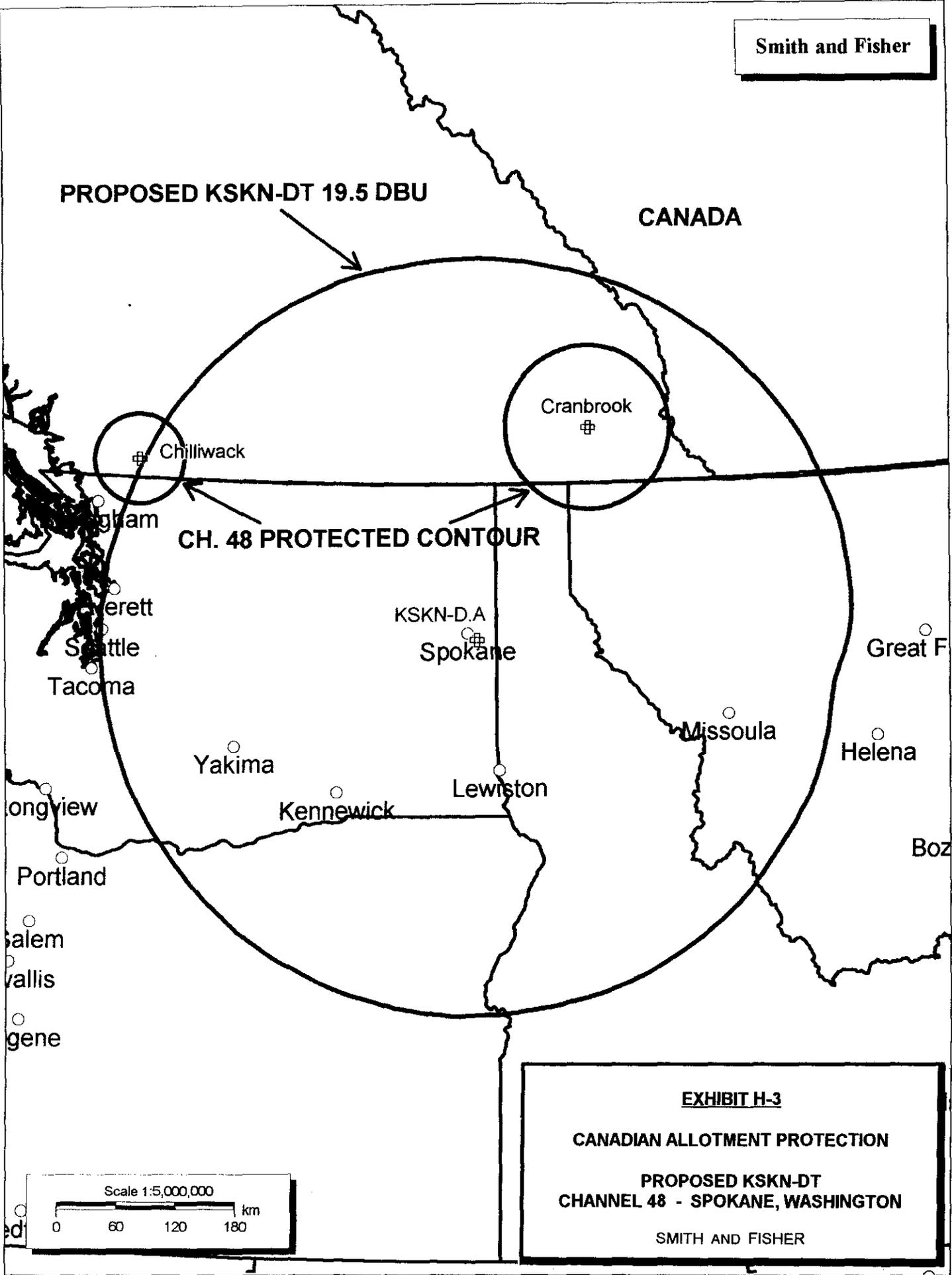
DTV FACILITIES

				<u>INTERFERENCE LOSSES (POPULATION)</u>								
<u>Call Sign</u>	<u>City, State</u>	<u>Ch.</u>	<u>NTSC/DTV<sup>3</sup> Grade B Pop. Longley-Rice</u>	<u>NTSC &amp; DTV</u>				<u>NTSC &amp; DTV</u>				
				<u>NTSC Only</u>	<u>Without KSKN-DT</u>	<u>Unmasked DTV</u>	<u>%<sup>1</sup></u>	<u>With KSKN-DT</u>	<u>Unmasked DTV</u>	<u>%<sup>1</sup></u>	<u>KSKN-DT Contribution</u>	<u>%<sup>2</sup></u>
-- NONE --												

<sup>1</sup> Cannot exceed 10%, under FCC *de minimis* interference standards.  
<sup>2</sup> Cannot exceed 2%, under FCC *de minimis* interference standards.  
<sup>3</sup> Larger of either NTSC Grade B population (with no DTV losses) or DTV Grade B population with all losses.

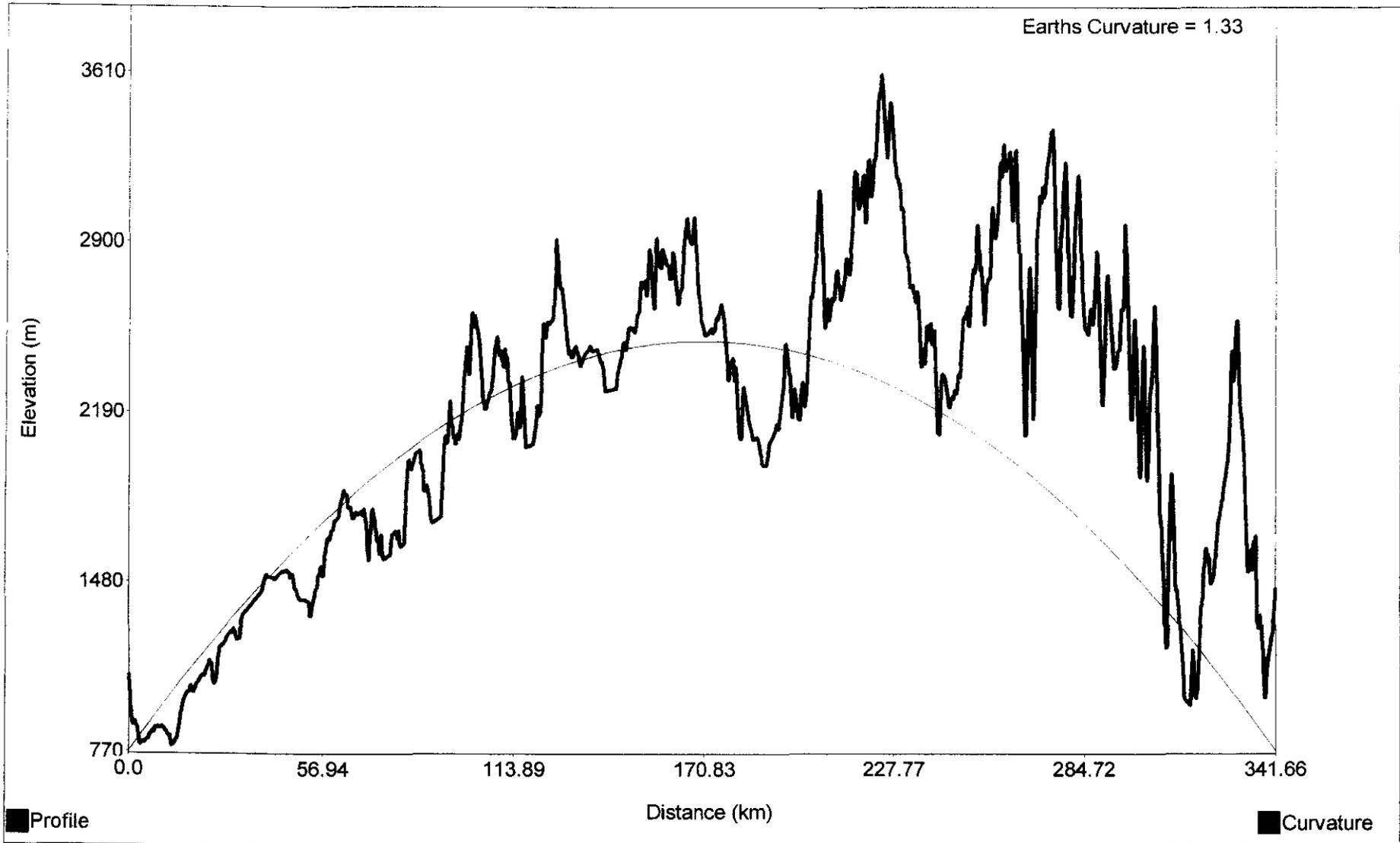
PROPOSED KSKN-DT 19.5 DBU

CANADA



**EXHIBIT H-3**  
**CANADIAN ALLOTMENT PROTECTION**  
**PROPOSED KSKN-DT**  
**CHANNEL 48 - SPOKANE, WASHINGTON**  
 SMITH AND FISHER

# PROPOSED SITE TOWARD CHILLIWACK ALLOTMENT

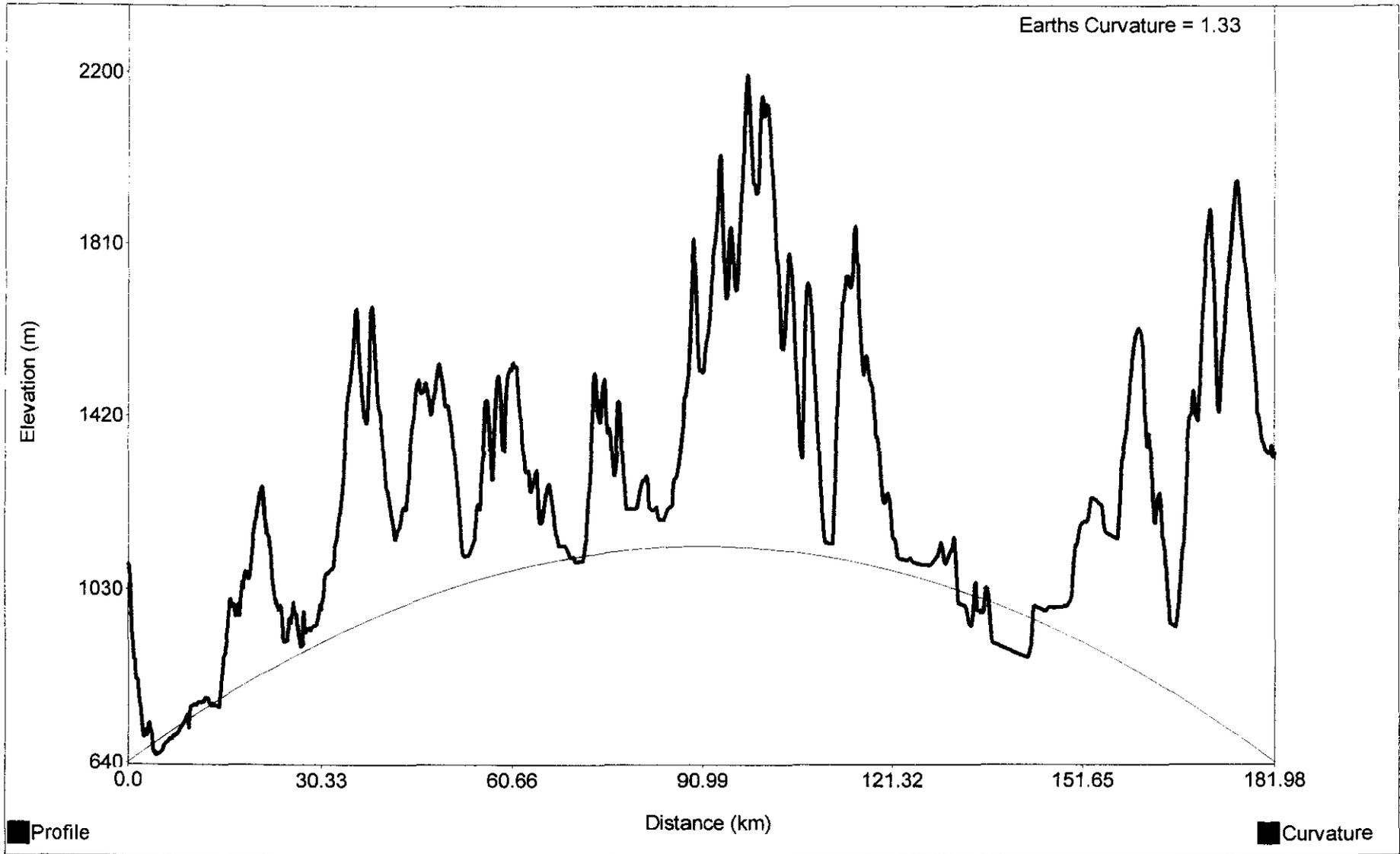


Starting Latitude: 47-35-41 N  
Starting Longitude: 117-17-53 W

End Latitude: 49-00-38.26 N  
End Longitude: 121-23-12.45 W

Distance: 341.66 km  
Bearing: 298.95 deg

# PROPOSED SITE TOWARD CRANBROOK ALLOTMENT



Starting Latitude: 47-35-41 N

End Latitude: 49-00-13.96 N

Distance: 181.98 km

Starting Longitude: 117-17-53 W

End Longitude: 116-03-01.92 W

Bearing: 30.11 deg

EXHIBIT H-5