

Federal Communications Commission

WASHINGTON, D.C.

In the Matter of

Amendment of Section 73.606(b))
Table of Allotments)
Analog Television Broadcast Stations)
(Blanco, Texas))

MM Docket No. 02-____
RM-____

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OFFICE OF THE SECRETARY

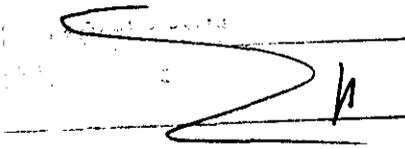
To: Chief, Video Services Division

PETITION FOR RULE MAKING

Univision Television Group, Inc. ("Univision"), winning bidder in FCC Auction No. 80 for an initial construction permit for NTSC Channel 52 at Blanco, Texas, hereby respectfully requests that the Commission expeditiously initiate a rule making proceeding to substitute NTSC Channel 17 for the presently allotted NTSC Channel 52 at Blanco, Texas at the reference coordinates specified in the attached engineering exhibit. Consistent with the Commission's Report and Order in *Reallocation and Service Rules for the 698-746 MHz Spectrum Band (Television Channels 52-59)*, GN Docket No. 01-74, FCC 01-364, released January 18, 2002, and Public Notice, DA 02-270 (released February 6, 2002),¹ substitution of NTSC Channel 17 in the Television Table of Allotments is in the public interest, as it would facilitate the reallocation of, and introduction of new services in, the Lower 700 MHz spectrum while permitting Univision to commence television service to the community of Blanco, Texas.

¹ Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Requests for New NTSC Television Stations on Channels 52-59, Public Notice, DA 02-270 (released February 6, 2002).

014
MMB
02-62



As set forth in the attached Engineering Statement, operation on Channel 17 is permissible with a non-directional effective radiated power (“ERP”) of 4800 kW, with an antenna height above average terrain (HAAT) of 194 meters. Univision hereby agrees to accept interference from its proposed use of Channel 17 hereunder to the current or modified facilities of co-owned station KNIC-CA. Thus, Univision requests the following change to the analog Table of Allotments:

	<u>Current</u>	<u>Proposed</u>
Blanco, Texas	52 (+)	17(0)

If the proposal set forth herein is adopted, Univision will seek Commission consent to amend its pending application for initial construction permit at Blanco, Texas to specify operation on Channel 17.

CONCLUSION

Univision respectfully requests that the Commission expeditiously initiate the rule making requested herein and that it substitute NTSC Channel 17 for NTSC Channel 52 at Blanco, Texas.

Respectfully submitted,

UNIVISION TELEVISION GROUP, INC.

By: 
Scott R. Flick
Brendan Holland

Its Attorneys

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Dated: March 8, 2002

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE NTSC ALLOTMENT TABLE
CHANNEL 17
BLANCO, TEXAS

Technical Narrative

This technical narrative and associated exhibits have been prepared on behalf of Univision Television Group, Inc. (Univision) in support of a Petition for Rule Making to modify the NTSC allotment at Blanco, Texas by the proposed substitution of channel 17 for channel 52.

In the FCC Public Notice entitled "Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Requests For New NTSC Television Stations on Channels 52-59", released on February 6, 2002, the FCC announced a filing window opportunity for applicants with certain pending requests for new analog (NTSC) television stations on channels 52-59 to modify their requests. Specifically, applicants with pending NTSC applications for new full-service NTSC television stations on channels 52-59, and other parties with pending NTSC applications on other channels that previously filed a petition for rule making for a channel 52-59 replacement channel, are eligible for the filing window.

Currently, Univision has a pending application (BNPCT-20000817AAF) for operation on channel 52 at Blanco. The pending application proposes operation on TV channel 52 with a directional effective radiated power (ERP) of 5000 kilowatts and an HAAT of 345 meters. By Report and Order in GN Docket No. 01-74, the FCC reallocated channels 52-59 to new uses on a flexible basis. As the proposed Univision NTSC facility falls within this band of frequencies, it is eligible for the filing window and therefore, is proposing the substitution of channel 17 for the channel 52 NTSC allotment at Blanco.

Proposed NTSC Channel 17 Operation

NTSC channel 17 can be substituted for channel 52 and allotted to Blanco, Texas in compliance with the FCC's technical criteria at the following reference coordinates, Latitude 29° 42' 58", Longitude 98° 30' 39". Operation on channel 17 from the proposed site appears permissible with a nondirectional ERP of 4800 kilowatts and an HAAT of 194 meters.

The proposed transmitter site would meet the Commission's minimum separation requirements applicable to NTSC operation on channel 17 specified in Section 73.610. The proposed channel 17 operation also complies with the FCC's interference criterion with respect to DTV allotments and authorized DTV facilities provided in Section 73.623(c). In addition, the proposed operation complies with the FCC's interference criterion applicable to Class A stations set forth in Section 74.707. Therefore, it is proposed to modify the NTSC allotment at Blanco with the following specifications:

State & City	NTSC Channel	NTSC ERP(kW)	Antenna HAAT(m)
TX, Blanco	17(0)	4800 (ND)	194

It is proposed to amend the NTSC Table of Allotments, Section 73.606(b) of the Commission's Rules, as follows:

<u>City</u>	<u>Present</u>	<u>Channel No.</u>	<u>Proposed</u>
Blanco, Texas	52(+)		17(0)

It is proposed to allot UHF channel 17 at Latitude 29° 42' 58", Longitude 98° 30' 39". The channel 17 facility proposes operation with a "zero" carrier frequency offset, an antenna radiation center height above mean sea level (RCAMSL) of 554 meters, an antenna radiation center height above average terrain of 194 meters, and a nondirectional antenna ERP of 4800 kilowatts. Figure 1 provides a "Tech Box" from FCC Form 301 which sets forth the technical parameters for the proposed NTSC channel 17 operation.

NTSC Allocation Considerations

Figure 2 is a separation study toward other NTSC allotments based on a 32 kilometer "buffer". As indicated, the allotment reference point is fully-spaced to all NTSC stations and allotments. It is noted, however, that the Commission's engineering database continues to reflect the existence of a conflicting rulemaking petition seeking to allocate NTSC channel 32 to Converse, Texas. Subsequent to the filing of that petition, the FCC instead allotted channel 32 to Kerrville, Texas for the DTV operation of KRRT-TV, thereby effectively dismissing the proposal to use NTSC channel 32 at Converse, Texas, which is located only 99 kilometers (61 miles) from Kerrville. Despite the fact that channel 32 can no longer be used at Converse, the FCC has not yet removed the defunct petition from its engineering database.

DTV Allocation Considerations

Figure 3 provides a summary of DTV interference for the proposed channel 17 NTSC allotment. Determination of DTV interference was made in accordance with the procedures set forth in Section 73.623(c) and OET Bulletin No. 69.¹ It is noted that a 1 km grid spacing was used for the OET Bulletin No. 69 analysis. Studies indicate that the proposed channel 17 operation would not cause prohibited interference to any DTV allotments, applications for authorizations and, therefore, the proposed operation is in full compliance with the FCC's interference criterion with respect to pertinent DTV allotments.

Class A Allocation Considerations

Figure 4 is a tabulation of all co-channel and adjacent channel LPTV stations which filed for Class A eligibility and which could be adversely impacted by the proposed channel 17 NTSC operation. As indicated on Figure 4, it is believed that the proposed operation on NTSC channel 17 at Blanco will not adversely impact any of the tabulated co-channel

¹ The du Treil, Lundin & Rackley, Inc. DTV interference analysis program is based on the program and procedures outlined by the FCC in the Sixth Report and Order; subsequent Memorandum Opinion and Order; and FCC OET Bulletin No. 69. A nominal grid size resolution of 1 km was employed. An Alpha based processor computer system was employed. The results have been found to be in very close agreement with the results of the FCC implementation of OET Bulletin No. 69.

or pertinent adjacent channel LPTV stations with the exception of KNIC-CA on channel 17 at San Antonio, Texas. However, KNIC-CA is co-owned by Univision and will agree to accept interference from Univision's proposed use of channel 17 hereunder to its current or modified facilities.

Land Mobile Radio Service Allocation Considerations

As indicated in the Sixth Report and Order in MM Docket No. 87-268 (adopted April 3, 1997, released April 21, 1997, FCC 97-115), at footnote 275, the FCC evaluates petitions for rule making requesting new television allotments on the same channel as, or first adjacent channel to, channels used for Land Mobile Radio Service (LMRS) in the nearby area on a "case-by case" basis using spacing derived from policy statements in Docket No. 18261.² In this instance the only LMRS facility of concern would be the co-channel 17 LMRS facility at Houston, Texas. The proposed NTSC channel 17 site is located 304.8 km from the Houston channel 17 LMRS reference point. As detailed below, it is believed that the proposed NTSC channel 17 operation will provide the requisite interference protection to the Houston channel 17 LMRS facility and therefore fully complies with the FCC rules and policies regarding LMRS. However, if procedurally necessary, a waiver of the FCC's technical criteria with respect to the Houston channel 17 LMRS facility is respectfully requested.

There are no known provisions for LMRS protection contained in the FCC's full-service NTSC rules (Subpart E of Section 73). However, Section 74.709 of the FCC's LPTV rules contains criteria for LMRS protection. Section 74.709 defines the protected contour for the LMRS facility as the area located within 130 km of the LMRS reference point listed in that Section. Section 74.709 prohibits any overlap of the LPTV 52 dBu, F(50,10) and the LMRS protected contour. Figure 5 is a map which depicts the Houston channel 17 protected contour and the proposed NTSC channel 17 52 dBu, F(50,10) contour and, as indicated, there is no prohibited contour overlap. Therefore, the proposed NTSC channel 17 operation complies with the LMRS protection provisions of Section 74.709.

² The pertinent distances are 345 km (212 miles) for co-channel LMRS facilities and 230 km (140 miles) for adjacent channel LMRS facilities.

Based on conversations with the FCC's staff, it is understood that the LMRS protection criteria contained in Section 74.709 were derived from an "equivalent protection" method. The equivalent protection method presumes that a full-service NTSC station is operating with maximum facilities (ERP 5000 kW/HAAT 609 meters) from a site located 345 km from the co-channel LMRS facility. Uniform terrain is also presumed. The LMRS protection criteria contained in Section 74.709 were then developed to maintain the same level of interference potential as would be expected from a maximum facility UHF station located 345 km from the LMRS facility. The "equivalent protection" method has also been applied in this instance. Specifically, Figure 5 depicts the 52 dBu, F(50,10) contour for a maximum facility UHF station located 345 km from the Houston channel 17 LMRS facility. Also shown is the 52 dBu contour for the proposed NTSC channel 17 operation based on the equivalent protection method. As shown on Figure 5, the proposal provides "equivalent protection" to the Houston channel 17 LMRS facility.

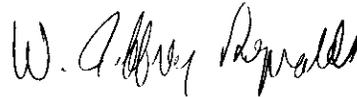
Finally, it is noted that KNIC-CA is currently licensed (BLTTL-19910311JJ) to operate on channel 17 at San Antonio and is located 305.6 km from the Houston channel 17 LMRS facility. According to the FCC's CDBS, KNIC-CA has been on the air since 1991 and there are no known instances of interference to the Houston channel 17 LMRS facility.

City Coverage Compliance

Figure 6 is a map which depicts the City Grade (80 dBu) contour for the proposed NTSC channel 17 operation based on consideration of actual terrain as well as presuming uniform terrain. The city limits of Blanco based on the 2000 Census data, are also shown. As indicated, all of Blanco is located within both City Grade contours. Therefore, it is believed that the proposed channel 17 NTSC allotment will comply with the FCC's city coverage requirements.

Conclusion

Channel 17 can be substituted for the current channel 52 NTSC allotment at Blanco, in compliance with the FCC rules concerning NTSC allotment changes.



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March 4, 2002

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: 17 (Blanco, Texas)

2. Offset: Plus _____ Minus _____ Zero _____

3. Zone: I II III

4. Antenna Location Coordinates: (NAD 27)
29° 42' 58" N S Latitude
98° 30' 39" E W Longitude

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

6. Height of Radiation Center Above Mean Sea Level: 554 meters

7. Overall Tower Height Above Ground Level: 200 meters

8. Height of Radiation Center Above Ground Level: 191 meters

9. Height of Radiation Center Above Average Terrain: 194 meters

10. Maximum Effective Radiated Power (ERP): 4,800 kW

11. Antenna Specifications:

Manufacturer	Model
Andrew	ATW30HS3-HTO-17M

a.

Manufacturer	Model
Andrew	ATW30HS3-HTO-17M

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 73.685.

Exhibit No.
N/A

d. Polarization: Horizontal Circular Elliptical

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. Sections 73.682(a)(14) and 73.685 must be satisfied. **Exhibit required.**

Exhibit No. N/A

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.

- 13. **Power and Antenna Height.** The proposed facility complies with 47 C.F.R. Section 73.614. Yes No

See Explanation in Exhibit No.

- 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.

- 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.

TECHNICAL EXHIBIT
 PREPARED IN SUPPORT OF
 PETITION FOR RULE MAKING TO
 MODIFY THE NTSC ALLOTMENT TABLE
 NTSC CHANNEL 17
 BLANCO, TEXAS

OET-69 DTV Interference Caused Summary

Protected DTV Station	FCC Service Population	Interference Population**
KHCE-DT, DTV Ch. 16 San Antonio, TX Allotment	1,362,569	6,888 (0.5%)
KHCE-DT, DTV Ch. 16 San Antonio, TX Application	1,362,569	53 (0.0%)

****Note:** A nominal grid size resolution of 1 km was employed for the OET-Bulletin No. 69 interference analysis.

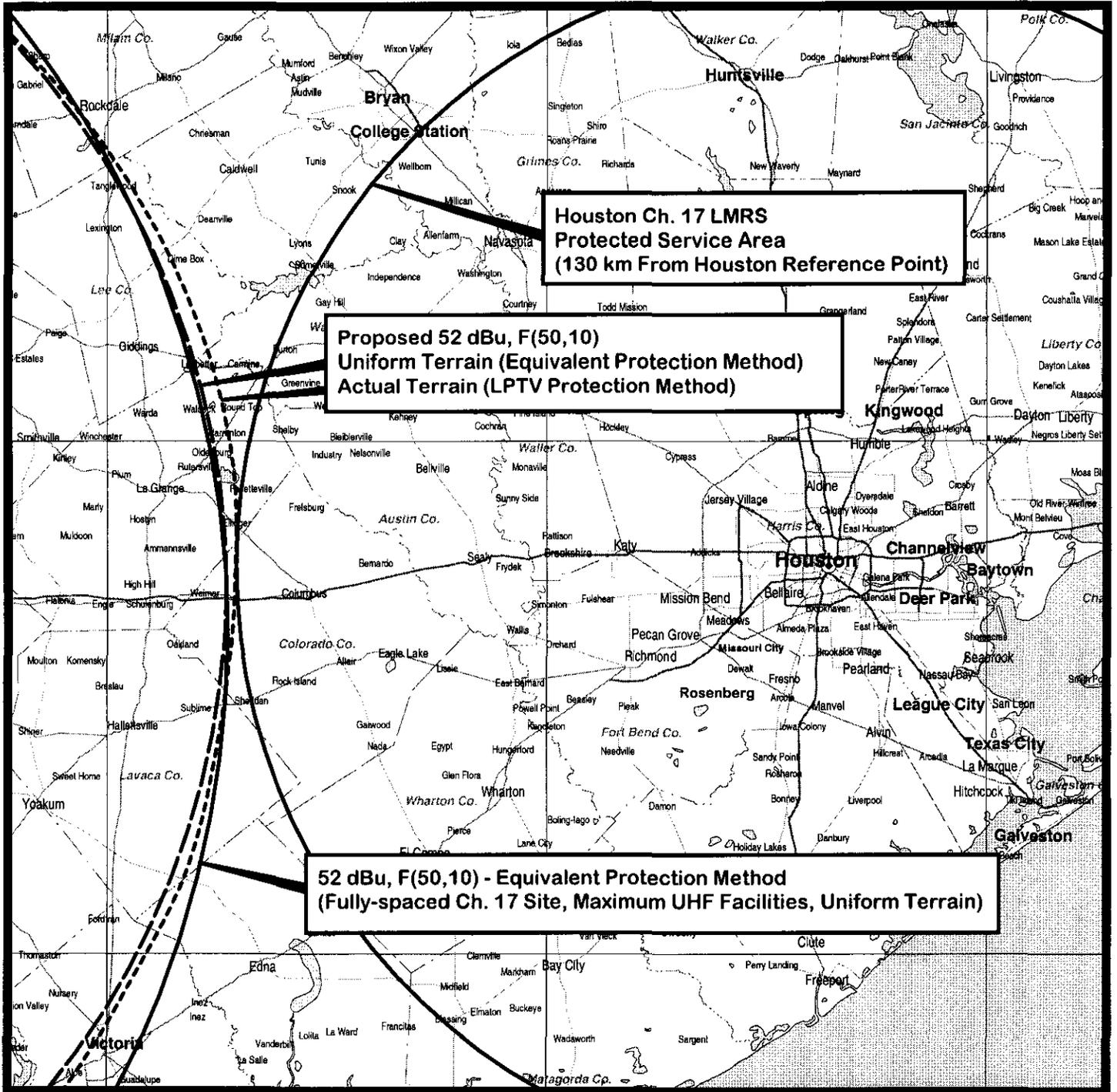
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 NTSC CHANNEL 17
 BLANCO, TEXAS

Class A Impact Summary

Call	Location	Facilities	Dist. (km) ¹	Comment
KNTA-LP	New Braunfels, TX	Ch 14, 10.6 kW, DA	38	Complies with Distance Requirement
K57GO	San Antonio, TX	Ch. 14, 20.9 kW, DA	39	Complies with Distance Requirement
KHPZ-CA CP App.	Round Rock, TX	Ch. 15, 10.8 kW, DA	125	Complies with Distance Requirement
		Ch. 15, 10.6 kW, DA	128	Complies with Distance Requirement
KNIC-CA	San Antonio, TX	Ch. 17, 10.4 kW, DA	32	KNIC-CA is co-owned by the proponent (Univision) and will agree to accept interference from Univision's proposed use of channel 17 hereunder to its current or modified facilities.
KIDU-LP CP App.	Brownwood, TX	Ch. 17, 6.7 kW, DA	228	Complies with Interference Criteria
		Ch. 17, 6.7 kW, DA	228	Complies with Interference Criteria
KXTM-LP	San Antonio, TX	Ch. 21, 26.4 kW, DA	53	Complies with Distance requirement
K31EX	San Antonio, TX	Ch. 31, 38.4 kW, DA	30	Complies with Interference Criteria
K31FM	Austin, TX	Ch. 31, 17.9 kW, DA	96	Complies with Interference Criteria
KGBS-LP	Austin, TX	Ch. 32, 10 kW, DA	96	Complies with Interference Criteria

¹ Distances calculated from the proposed NTSC channel 17 allotment reference point.

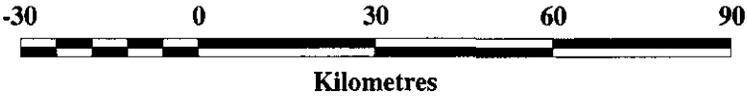
Figure 5



**Houston Ch. 17 LMRS
Protected Service Area
(130 km From Houston Reference Point)**

**Proposed 52 dBu, F(50,10)
Uniform Terrain (Equivalent Protection Method)
Actual Terrain (LPTV Protection Method)**

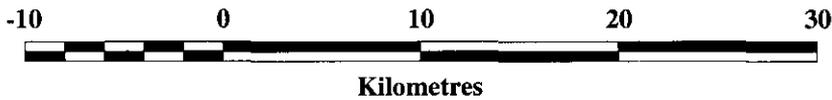
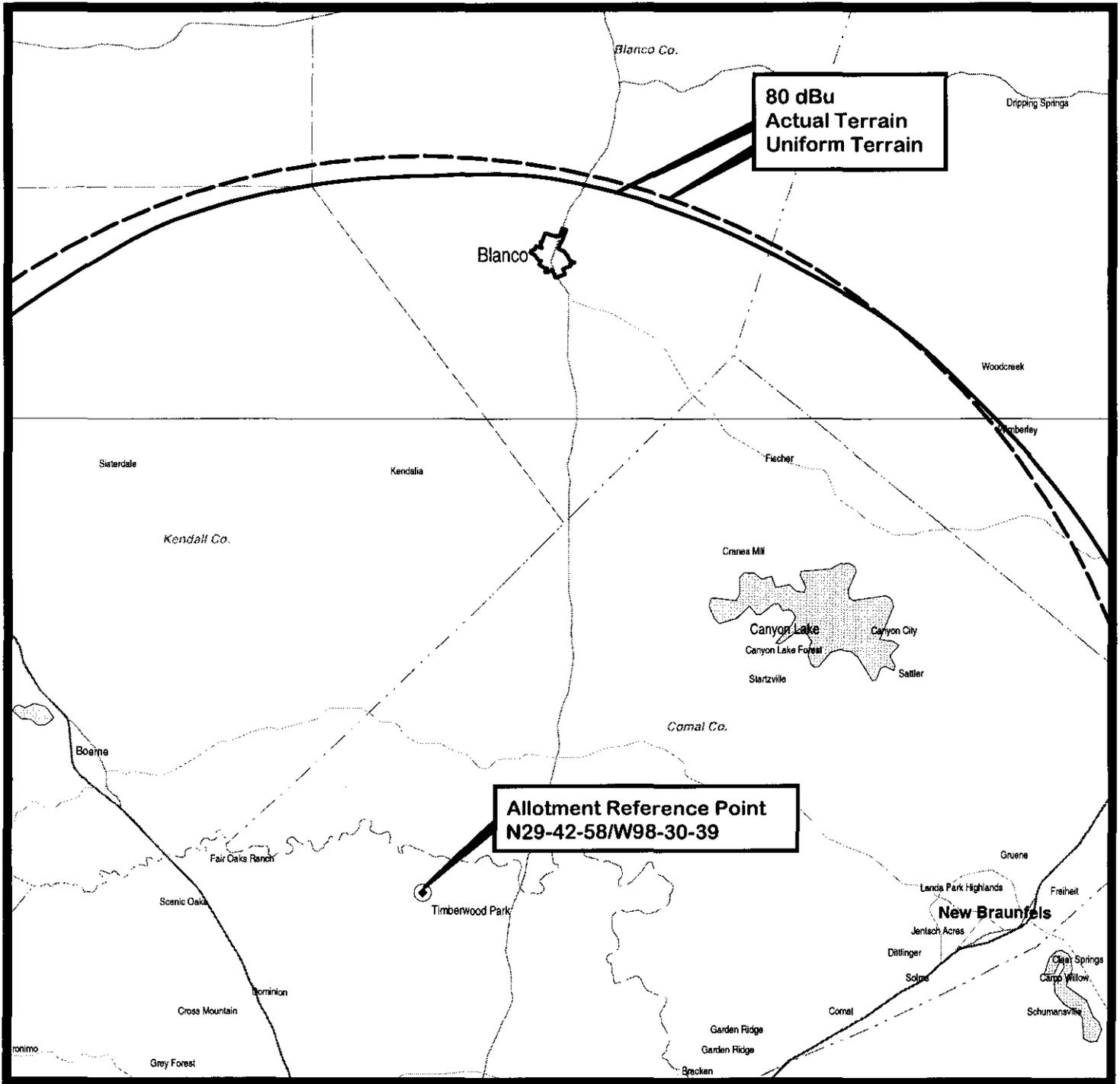
**52 dBu, F(50,10) - Equivalent Protection Method
(Fully-spaced Ch. 17 Site, Maximum UHF Facilities, Uniform Terrain)**



**LMRS PROTECTION
NTSC CHANNEL 17
BLANCO, TEXAS
CH 17 4800 KW 194 M**

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

Figure 6



**CITY COVERAGE COMPLIANCE
NTSC CHANNEL 17
BLANCO, TEXAS
CH 17 4800 KW 194 M**

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

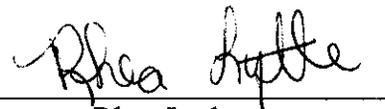
CERTIFICATE OF SERVICE

I, Rhea Lytle, a secretary in the law firm of Shaw Pittman, hereby certify that on this 8th day of March 2002, I caused to be served by hand delivery a copy of the foregoing “**PETITION FOR RULE MAKING**” on the following:

John A. Karousos, Chief
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Rhea Lytle