

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

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FEDERAL COMMUNICATIONS COMMISSION  
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In the Matter of	)	
	)	
Amendment of Section 73.622(b),	)	MM Docket No. 02-82
Table of Allotments,	)	RM-10408
Digital Television Broadcast Stations.	)	
(Burlington, Vermont)	)	

To: Chief, Video Division

**REPLY COMMENTS OF C-22 FCC LICENSEE SUBSIDIARY, LLC**

C-22 FCC Licensee Subsidiary, LLC ("C-22"), by its attorneys and pursuant to Section 1.420 of the Commission's rules, 47 C.F.R. § 1.420, hereby submits its reply comments in further support of the Notice of Proposed Rule Making ("NPRM") proposing to amend the Table of Allotments for the digital television ("DTV") service to change the initial DTV channel allotment for station WVNY-DT, Burlington, Vermont, from Channel 16 to Channel 13.<sup>1</sup> C-22 is the licensee of WVNY-TV, Burlington, Vermont, and the proponent of the proposal advanced in the NPRM.

As shown in C-22's original February 5, 2002 Petition for Rulemaking and its supporting comments filed in this proceeding, the substitution of Channel 13 for Channel 16 at Burlington, Vermont is a preferable use of the digital television spectrum and should be authorized because it would allow WVNY-DT to serve a greater population than is possible with the existing Channel 16 allotment. In addition, as C-22 has demonstrated, operation of WVNY-DT on Channel 13 meets all technical protection requirements with respect to pertinent domestic and Canadian

<sup>1</sup> See Notice of Proposed Rule Making, MM Docket No. 02-82, RM-10408 (rel. April 26, 2002).

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television stations and complies with the Commission's principal community coverage requirements.

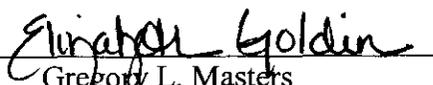
The only other party submitting comments in this proceeding, Mt. Mansfield Television, Inc. ("Mt. Mansfield"), does not object to the proposed change of WVNY-DT's digital allotment from Channel 16 to Channel 13. Instead, Mt. Mansfield voices its concerns generally with the process of seeking concurrence from the Canadian government, the delays associated historically with that process and the potential for resulting adverse effects on Burlington, Vermont area broadcasters' efforts to implement the digital television transition. C-22 shares Mt. Mansfield's concerns with the Canadian approval process (noting, as previously demonstrated, that operation of WVNY-DT on Channel 13 meets the 2% criteria outlined in the Commission's Letter of Understanding with Canada) and likewise agrees that Canadian coordination issues should not be permitted to unnecessarily delay its proposed channel change.

**Conclusion**

C-22 reiterates its present intention to apply for DTV Channel 13 at Burlington, Vermont if it is allotted and, if authorized, to build a DTV facility on that channel. Accordingly, C-22 respectfully requests that the Commission amend the DTV Table of Allotments to allot and assign DTV Channel 13 (in lieu of Channel 16) to Burlington, Vermont, for use by WVNK-DT.

Respectfully submitted,

**C-22 FCC Licensee Subsidiary, LLC**

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July 2, 2002

**CERTIFICATE OF SERVICE**

I, Vanessa Lansdowne, a secretary in the law firm of Wiley, Rein & Fielding, hereby certify that on this 2nd day of July, 2002 I caused copies of the foregoing "Reply Comments of C-22 FCC Licensee Subsidiary, LLC" to be mailed via first-class postage prepaid mail to the following:

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