

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.622(b))
Table of Allotments,)
Digital Television Broadcast Stations)
(Billings, Montana))

MB Docket No. 02-116
RM-10233

To: Chief, Video Division
Media Bureau

COMMENTS OF KTVQ COMMUNICATIONS, INC.

KTVQ Communications, Inc. ("KTVQ Communications"), licensee of KTVQ(TV), Billings, Montana, by its attorneys and pursuant to Sections 1.415 and 1.420 of the Commission's Rules (47 C.F.R. §§ 1.415, 1.420), hereby respectfully submits these comments in response to the above-captioned *Notice of Proposed Rule Making* ("Notice") released by the Commission on May 24, 2002. The *Notice* seeks comment on KTVQ Communications' request, as set forth in its *Petition for Rule Making* filed on January 10, 2001 ("*Petition*"), that the Commission amend Section 73.622(b), the DTV Table of Allotments, by substituting Channel 10 as the station's paired DTV allocation for the transition period in lieu of Channel 17, as originally allotted.

As the Commission stated in the *Notice*, the proposed channel substitution complies with the principal community coverage requirements and is acceptable under the 2% *de minimis*

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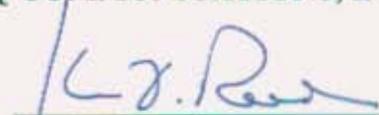
interference standard.¹ KTVQ Communications hereby reaffirms the justification for the proposed DTV allotment change advanced in detail in the *Petition* and reconfirms its desire and intent to construct and operate Station KTVQ-DT on Channel 10, as proposed. Upon the Commission's adoption of changes in the DTV Table of Allotments as described in the *Notice*, KTVQ Communications will timely file an application specifying the operation of KTVQ-DT on Channel 10 with the parameters proposed in the *Petition* and in accordance with applicable Commission rules and policies governing construction and commencement of operation.

THEREFORE, for the reasons previously set forth in the *Petition*, KTVQ Communications respectfully requests that the Commission promptly adopt the changes proposed in the *Notice* and amend Section 73.622(b) of its Rules to substitute Channel 10 for Channel 17 for use by KTVQ-DT at the specified reference point in Billings, Montana.

Respectfully Submitted,

KTVQ COMMUNICATIONS, INC.

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Dated: July 15, 2002

¹ See *Notice*, ¶ 3; 47 C.F.R. §§ 73.623(c)(1), 73.623(c)(2), 73.625(a) (2001). At the time it filed the *Petition*, KTVQ Communications believed that the proposed channel substitution would not comply with the *de minimis* interference standard, but it has subsequently determined that the proposed channel substitution is in compliance with the standard, as the Commission also has determined.