

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

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In the Matter of

Amendment of Section 73.606(b),)
Table of Allotments,)
Television Broadcast Stations; and)
Section 73.622(b) Tables of Allotments,)
Digital Broadcasting Television Stations)
(Hammond, Louisiana))

MM Docket No. 02-131
RM-10440

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Chief, Video Services Division

COMMENTS IN SUPPORT OF NOTICE OF PROPOSED RULE MAKING

KB Prime Media LLC ("KB Prime"), applicant for an initial construction permit for NTSC Channel 62 at Hammond, Louisiana,¹ by its undersigned attorneys and in response to the Commission's *Notice of Proposed Rule Making* in the above-captioned proceeding, MB Docket No. 02-131, RM-10440 (released June 5, 2002) (the "*NPRM*"), hereby files these Comments in support of the *NPRM*'s proposal to substitute and allot DTV Channel 42 for NTSC Channel 62 at Hammond, Louisiana in the Table of Allotments.

DISCUSSION

1. KB Prime commenced this proceeding on July 17, 2000 with its filing of a Petition for Rule Making requesting that the Commission initiate a proceeding to amend the NTSC Table of Allotments to allocate NTSC Channel 57 for NTSC Channel 62 at Hammond, Louisiana.² Subsequently, pursuant to the Commission's Report and Order reallocating former

¹ See FCC File No. BPCT-19960920LW.

² On November 22, 1999, the Commission opened a filing window to allow for, among other things, applicants for new NTSC television stations on channels 60-69 to modify their proposals to specify a channel below 60, which was scheduled to close on March 17, 2000. See

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TV Channels 52-59,³ KB Prime amended its pending Petition for Rule Making in order to request that the Commission substitute and allot DTV Channel 42 for the presently allotted NTSC Channel 62 at Hammond, Louisiana. By its amended Petition, KB Prime demonstrated that the substitution of DTV Channel 42 in the Television Table of Allotments is in the public interest, as it would facilitate the reallocation and introduction of new services in the Lower 700 MHz spectrum, and would permit KB Prime to commence television service to the community of Hammond, Louisiana.

2. In response to KB Prime's amended Petition, the Commission instituted the instant rule making proceeding to more fully consider KB Prime's proposal. KB Prime hereby incorporates herein by reference its Petition, as amended, previously filed in this proceeding and reiterates its expression of interest in the substitution and allotment of DTV Channel 42 for the presently allotted NTSC Channel 62 at Hammond, Louisiana. As mentioned above, KB Prime currently has an application pending seeking authorization for a new construction permit for a television station operating on NTSC Channel 62. If the channel change proposed in the NPRM is granted, KB Prime will, as stated in its Petition, promptly amend its pending application in order to specify operation on DTV Channel 42 at Hammond with facilities consistent with those specified in the engineering material filed with its Petition for Rule Making, and, if authorized, KB Prime will construct the facilities contemplated therein and place the station into operation. If the proposal set forth herein is adopted, the Commission should process and grant KB Prime's

Footnote continued from previous page

Public Notice, DA 99-2605 (released November 22, 1999). The Commission later extended the filing window until July 15, 2000. See Public Notice, DA 00-536 (released March 9, 2000).

³ In the Matter of 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.

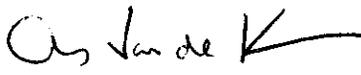
application, as amended, as KB Prime is the sole remaining applicant for this new authorization at Hammond, Louisiana.⁴

CONCLUSION

KB Prime respectfully requests that the Commission expeditiously grant the rule making proposed by the NPRM and allot DTV Channel 42 for NTSC Channel 62 at Hammond, Louisiana.

Respectfully submitted,

KB PRIME MEDIA LLC

By: 

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Dated: July 29, 2002

⁴ As the Commission indicated in its NPRM in the instant proceeding, the application of Word of God Fellowship, Inc. for a construction permit for a new television station on Channel 62 at Hammond, Louisiana has been dismissed, and the Commission subsequently also denied Word of God's Application for Review on March 15, 1999. Accordingly, because KB Prime is the sole remaining applicant for the Hammond construction permit, the Commission should place KB Prime's application on a cut-off list and expeditiously grant the application. See KB Prime Media LLC, Petition for Rule Making, filed July 17, 2000, at 3-7.

CERTIFICATE OF SERVICE

I, Renee Williams, a secretary with the law firm of Shaw Pittman LLP, hereby certify that a copy of the foregoing “**COMMENTS IN SUPPORT OF NOTICE OF PROPOSED RULE MAKING**” was served via hand delivery on this 29th day of July, 2002 to the following:

Ms. Barbara A. Kreisman
Chief, Video Services Division
Media Bureau
Federal Communications Commission
445 12th Street, S.W., Room 2-A666
Washington, D.C. 20554



Renee Williams