

Before the
Federal Communications Commission
Washington, DC 20554

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AUG 15 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.622(b))
Table of Allotments)
Digital Television Broadcast Stations)
Television Broadcast Service)
(Avalon, California))

MB Docket No. 02-223
RM-10520

To: Chief, Video Services, Media Bureau

COUNTERPROPOSAL

Sunbelt Television, Inc., licensee of Station KHIZ(TV), Barstow, California, hereby submits a Counterproposal to the *Notice of Proposed Rulemaking*, DA 02-1938 (Aug. 7, 2002) ("*NPRM*"), released in this proceeding.

The *NPRM* proposes the allotment of digital channel 47c to Avalon, California. As a counterproposal to the proposal contained in the *NPRM*, Sunbelt proposes the following amendment to the DTV Table of Allotments:

<u>City and State of License</u>	<u>Present</u>	<u>Proposed</u>
Barstow, California	44	47c

This counterproposal is mutually-exclusive with the proposal contained in the *NPRM*. As seen by the attached Engineering Statement, DTV Channel 47 may be allotted to Barstow, California as a substitution for DTV Channel 44 in full accordance with the FCC's protection requirements with respect to all present licenses, allotments, and policies.

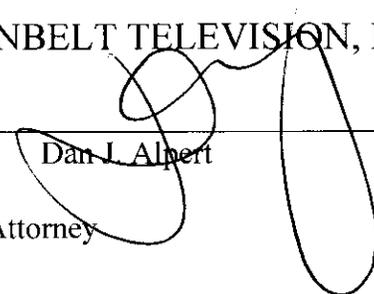
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WHEREFORE, it is respectfully requested that this Counterproposal be accepted in this proceeding.

Respectfully requested,

SUNBELT TELEVISION, INC.

By: _____


Dan J. Alpert

Its Attorney

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Arlington, VA 22201
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August 15, 2002

ENGINEERING STATEMENT
REPLY COMMENTS IN SUPPORT OF
PETITION FOR RULE MAKING
MB DOCKET 02-223 RM-10520
SECTION 73.622 OF THE FCC RULES
TO CHANGE DTV CHANNEL
ON BEHALF OF
SUNBELT TELEVISION, INC.
KHIZ-DT, BARSTOW, CALIFORNIA

AUGUST 2002

COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
RADIO AND TELEVISION
WASHINGTON, D.C.

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington)
) ss
District of Columbia)

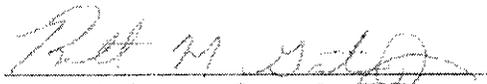
Robert M. Gates, Jr., being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer, has passed his Engineer in Training test in the State of Virginia, and is employed by Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio-Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, DC 20005.

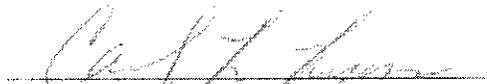
That his qualifications are a matter of record in the Federal Communications Commission;

That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.


Robert M. Gates, Jr., EIT

Subscribed and sworn to before me this 15th day of August, 2002


Notary Public

My Commission Expires: 2/28/2003

This engineering statement has been prepared on behalf of Sunbelt Television, Inc., licensee of Television Station KHIZ-TV, NTSC Channel 64, Barstow, California. This engineering statement is in support of reply comments in MB Docket 02-223, RM-10520, released August 7, 2002. It is proposed to change the current digital television channel allotment contained in Section 73.622 of the FCC Rules from UHF Channel 44 to UHF Channel 47c with an ERP of 156 kW. 156 kW is the maximum ERP in UHF-DT, Zone II for the proposed HAAT of 920 meters. Shown in Figure E-1, the resulting service area encompasses the entire community of license.

This request is supported by an analysis of the impact of this proposal on other authorized NTSC stations, DTV stations, and other proposed DTV allotment changes. An allocation analysis has been performed using the Federal Communications Commission OET Bulletin 69 dated July 2, 1997 and the FCC supplemental processing guidelines dated August 1998. The analysis was performed by using the FCC Longley-Rice model adapted for use for an INTEL computer. The results of this adapted program have been compared to other known FCC studies and have been found to give comparable results.

<u>DTV Channel</u>	<u>Effective Radiated Power (kW)</u>	<u>Height Above Average Terrain (meters)</u>	<u>Radiation Center AMSL (meters)</u>
<u>Existing DTV Table of Allotments, Page B-3¹</u>			
44	70.2	518	1429

¹In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service", MM Docket No. 87-268, Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order (FCC 98-24), 2/12/98.

Allotment Coordinates NAD-27

North Latitude: 34° 36' 34"

West Longitude: 117° 17' 11"

<u>DTV Channel</u>	<u>Effective Radiated Power (kW)</u>	<u>Height Above Average Terrain (meters)</u>	<u>Radiation Center AMSL (meters)</u>
<u>Proposed DTV Facilities</u>			
47c	156	920	2600

Proposed Coordinates NAD-27

North Latitude: 34° 21' 08"

West Longitude: 117° 40' 27"

Table I shows the stations to be considered according to the processing guidelines². None of these stations exceed the allowed cumulative interference level of 10%. It is noted that digital broadcast station KFTR-DT has been allotted DTV Channel 29 in lieu of DTV Channel 47³. Stations not shown in the table are presumed to have zero or much less than de minimis interference.

Further, an examination of co-channel low-power television and translator stations within 50 km has been performed. KHTV-LP, Class A, on Channel 48, is 38.8 kilometers from the proposed transmitter site. KHIZ-DT requests a waiver of the interference protection requirements of FCC Rule Section 73.623(c)(5) toward KHTV-LP based on Longley-Rice terrain dependent

²"Additional Application Processing Guidelines for Digital Television (DTV)", Public Notice 84889 (August 10, 1998).

³MB Docket 01-23 RM-9960, released July 29, 2002, effective September 12, 2002.

propagation methods that demonstrate that the proposed facility will not cause interference to KHTV-LP. See Table 2.

Therefore, it is believed that the request for DTV channel will be consistent with the FCC Rules.

COHEN, DIPPELL AND EVERIST, PC

TABLE I
 POTENTIAL INTERFEREES OF
 KHIZ-DT, BARSTOW, CALIFORNIA
 CHANNEL 47, 156 KW, 920 METERS
 AUGUST 2002

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Dist(km)</u>	<u>Status</u>	<u>File Number</u>	<u>New Interference</u>
40	KDFX-LP	INDIO, ETC. CA	173.9	LIC	BLTTL -19990219JC	0.00%
40	KTBN-TV	SANTA ANA, CA	38.4	LIC	BLCT -19830418KH	0.00%
44	KXLA	RANCHO PALOS VERDES, CA	127.4	LIC	BLCT -20001220ADU	0.00%
44	KXLA	RANCHO PALOS VERDES, CA	38.6	APP	BPCT -20010131ABS	0.00%
45	KDPX-LP	CATHEDRAL CITY, CA	126.2	LIC	BLTTL -19971103IK	0.00%
46	KFTR	ONTARIO, CA	38.6	LIC	BLCT -19840427KR	0.00%
46	KFTR	ONTARIO, CA	38.6	APP	BPCT -20020205AAB	0.05%
46	KMIR-TV	PALM SPRINGS, CA	126.4	CP	BPCDT -19991029AFZ	0.00%
46	KMIR-DT	PALM SPRINGS, CA	126.4	PLN	DTVPLN -DTVP1252	0.00%
47	KGPE	FRESNO, CA	341.0	LIC	BLCT -2519	0.00%
47	KGPE	FRESNO, CA	341.0	CP	BPCT -19960715KE	0.00%
47	KFTR	ONTARIO, CA	38.6	CP	BPCDT -19991029AFX	0.00%
47	KHSC-DT	ONTARIO, CA	38.6	PLN	DTVPLN -DTVP1287	0.00%
48	KOCE-TV	HUNTINGTON BEACH, CA	38.6	CP	BPEDT -19991101AKY	0.12%
48	KOCE-DT	HUNTINGTON BEACH, CA	49.3	PLN	DTVPLN -DTVP1315	0.48%
48	KHTV-LP	INLAND EMPIRE, CA	38.8	LIC	BLTTL -20010507AAM	0.00%
50	KOCE-TV	HUNTINGTON BEACH, CA	49.3	LIC	BLET -19910927KE	0.00%
54	KAZA-TV	AVALON, CA	38.6	LIC	BLCT -20010712AGN	0.00%

Note: Per MM Docket No. 01-23, KHSC-DT has been ordered, effective September 12, 2002, to change its channel to 29 therefore, KHSC-DT is not an allocation constraint.

Source: FCC CDBS 8/15/2002

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TABLE 2
TV INTERFERENCE and SPACING ANALYSIS SUMMARY

Date: 08-15-2002 Time: 08:08:37

Record Selected for Analysis

KHIZ-P OTHER -RMG522 BARSTOW CA US
Channel 47 ERP 156 kW HAAT 0 m RCAMSL 02600 m
Latitude 34 -21-8 Longitude 117 -40-27
Status APP Zone 3 Border
Last update Cutoff date Docket
Comments
Applicant

Cell Size for Service Analysis 2.0 km/side

Distance Increments for Longley-Rice Analysis 1.00 km

Facility meets maximum height/power limits

Contour overlap to Class A station
KHTV-LP 48 INLAND EMPIRE CA BLTTL 20010507AAM

Proposed facility OK to FCC Monitoring Stations

Proposed facility OK toward West Virginia quiet zone

Proposed facility is beyond the Canadian coordination distance

Proposed facility is within the Mexican coordination distance

Proposed station is OK toward AM broadcast stations

Analysis of Interference to Affected Station 1

Analysis of current record

Channel	Call	City/State	Application Ref. No.
40	KDFX-LP	INDIO, ETC. CA	BLTTL -19990219JC

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Total scenarios = 1

Scenario 1 % New Interference 0.00 OK

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Analysis of Interference to Affected Station 2

NTSC Baseline Analysis

Channel	Call	City/State	Application Ref. No.
40	KTBN-TV	SANTA ANA CA	DTVPLN -NPLN0268

Analysis of current record

Channel	Call	City/State	Application Ref. No.
40	KTBN-TV	SANTA ANA CA	BLCT -19830418KH

Proposal causes no interference

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Analysis of Interference to Affected Station 3

NTSC Baseline Analysis

Channel	Call	City/State	Application Ref. No.
44	KRPA	RANCHO PALOS VERDES CA	DTVPLN -NPLN0176

Analysis of current record

Channel	Call	City/State	Application Ref. No.
44	KXLA	RANCHO PALOS VERDES CA	BLCT -20001220ADU

Proposal causes no interference

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Analysis of Interference to Affected Station 4

Analysis of current record

Channel	Call	City/State	Application Ref. No.
44	KXLA	RANCHO PALOS VERDES CA	BPCT -20010131ABS

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Analysis of Interference to Affected Station 10

NTSC Baseline Analysis

Channel	Call	City/State	Application Ref. No.
47	KJEO	FRESNO CA	DTVPLN -NPLN0181

Analysis of current record

Channel	Call	City/State	Application Ref. No.
47	KGPE	FRESNO CA	BLCT -2519

Proposal causes no interference

#####

Analysis of Interference to Affected Station 11

Analysis of current record

Channel	Call	City/State	Application Ref. No.
47	KGPE	FRESNO CA	BPCT -19960715KE

Proposal causes no interference

#####

Analysis of Interference to Affected Station 12

DTV Baseline Analysis

Channel	Call	City/State	Application Ref. No.
47	KHSC-DT	ONTARIO CA	DTVPLN -DTVP1287

NTSC Baseline Analysis

Channel	Call	City/State	Application Ref. No.
46	KHSCTV	ONTARIO CA	DTVPLN -NPLN0180

Analysis of current record

Channel	Call	City/State	Application Ref. No.
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47 KFTR ONTARIO CA BPCDT -19991029AFX

Station is "Checklist Like" no further analysis required

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Analysis of Interference to Affected Station 13

Analysis of current record

Channel	Call	City/State	Application Ref. No.
47	KHSC-DT	ONTARIO CA	DTVPLN -DTVP1287

Total scenarios = 4

Scenario 1 % New Interference 52.15 FAILED

Scenario 2 % New Interference 52.21 FAILED

Scenario 3 % New Interference 52.15 FAILED

Scenario 4 % New Interference 52.21 FAILED

Note: Per MM Docket No. 01-23, RM-9960, released July 29, 2002, KHSC-DT has been allotted Channel 29 in lieu of Channel 47.

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Analysis of Interference to Affected Station 14

DTV Baseline Analysis

Channel	Call	City/State	Application Ref. No.
48	KOCE-DT	HUNTINGTON BEACH CA	DTVPLN -DTVP1315

NTSC Baseline Analysis

Channel	Call	City/State	Application Ref. No.
50	KOCETV	HUNTINGTON BEACH CA	DTVPLN -NPLN0182

Analysis of current record

Channel	Call	City/State	Application Ref. No.
48	KOCE-TV	HUNTINGTON BEACH CA	BPEDT -19991101AKY

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Total scenarios = 2

Scenario 1 % New Interference 0.12 OK

Scenario 2 % New Interference 0.12 OK

#####

Analysis of Interference to Affected Station 15

Analysis of current record

Channel	Call	City/State	Application Ref. No.
48	KOCE-DT	HUNTINGTON BEACH CA	DTVPLN -DTVP1315

Total scenarios = 4

Scenario 1 % New Interference 0.48 OK

Scenario 2 % New Interference 0.42 OK

Scenario 3 % New Interference 0.12 OK

Scenario 4 % New Interference 0.06 OK

#####

Analysis of Interference to Affected Station 16

Analysis of current record

Channel	Call	City/State	Application Ref. No.
48	KHTV-LP	INLAND EMPIRE CA	BLTTL -20010507AAM

Proposal causes no interference

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Analysis of Interference to Affected Station 17

NTSC Baseline Analysis

Channel	Call	City/State	Application Ref. No.
50	KOCETV	HUNTINGTON BEACH CA	DTVPLN -NPLN0182

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Analysis of current record

Channel Call City/State Application Ref. No.
50 KOCE-TV HUNTINGTON BEACH CA BLET -19910927KE

Proposal causes no interference

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Analysis of Interference to Affected Station 18

NTSC Baseline Analysis

Channel Call City/State Application Ref. No.
54 NEW AVALON CA DTVPLN -NPLN0188

Analysis of current record

Channel Call City/State Application Ref. No.
54 KAZA-TV AVALON CA BLCT -20010712AGN

Proposal causes no interference

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Analysis of Interference to Affected Station 19

Analysis of current record

Channel Call City/State Application Ref. No.
47 KHIZ-P BARSTOW CA OTHER -RMG522

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FINISHED FINISHED FINISHED FINISHED FINISHED FINISHED

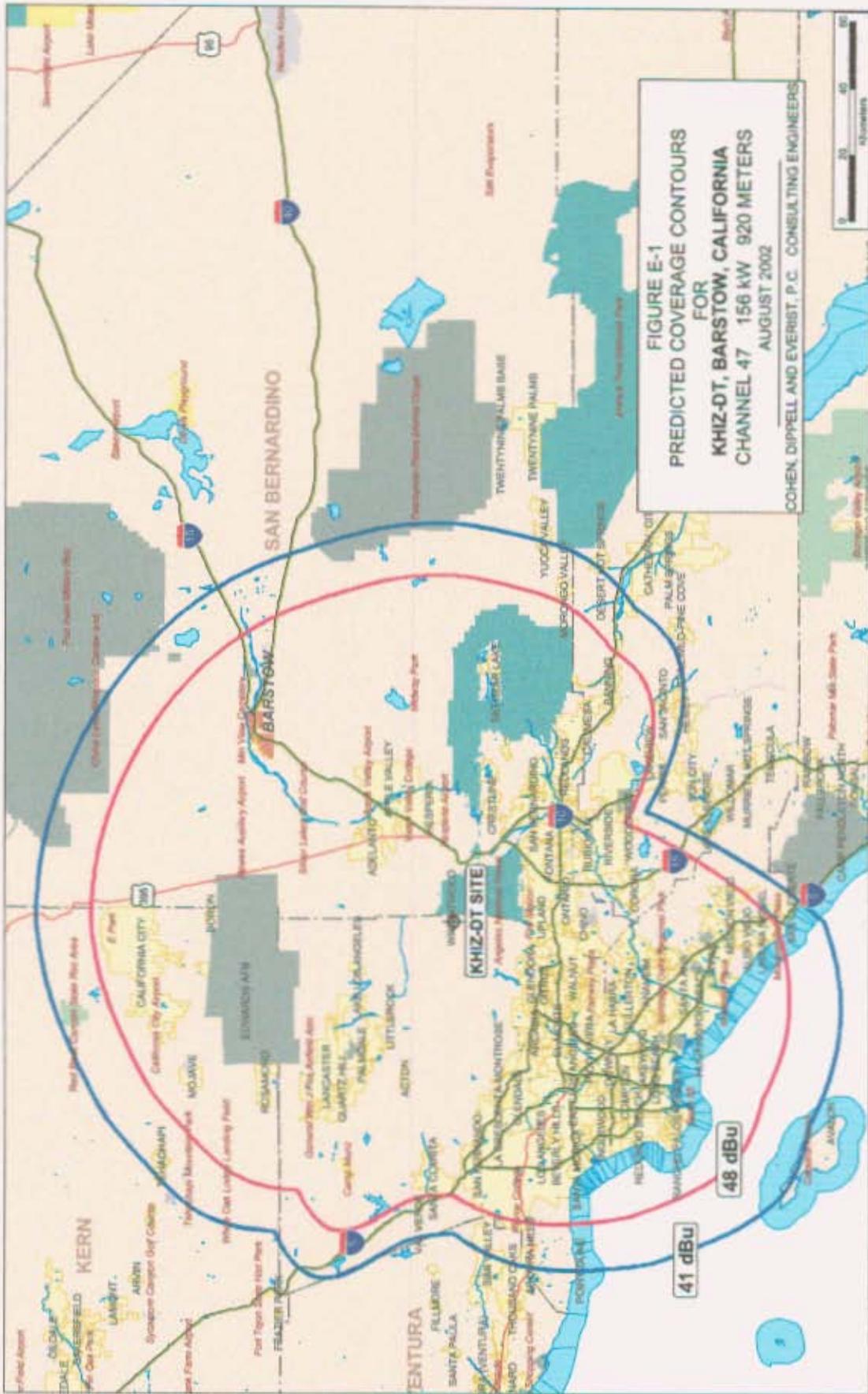


FIGURE E-1
PREDICTED COVERAGE CONTOURS
FOR
KHIZ-OT, BARSTOW, CALIFORNIA
CHANNEL 47 156 KW 920 METERS
AUGUST 2002

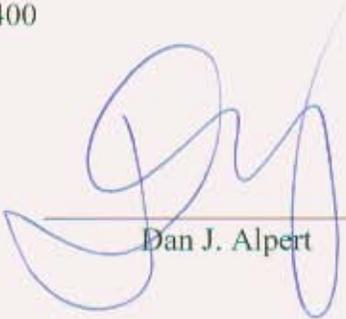
COHEN, DIPPEL AND EVERIST, P.C. CONSULTING ENGINEERS



CERTIFICATE OF SERVICE

I, Dan J. Alpert, hereby certify that on August 15, 2002, a true and correct copy of the foregoing Comments are being served upon the following by First Class Mail:

John Griffith Johnson, Jr., Esq.
Paul Hastings Janofsky & Walker, LLP
1299 Pennsylvania Ave., N.W.
10th Floor
Washington, DC 20004-2400



Dan J. Alpert