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FEDERAL COMMUNICATIONS COMMISSION
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OCT 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.)
(Spokane, Washington))

MB Docket No. 02-222
RM-10491

To: Chief, Video Services Division

REPLY COMMENTS OF KSKN TELEVISION, INC.

KSKN Television, Inc., a subsidiary of Belo Corp. (collectively, "Belo"), by its attorneys, submits these reply comments in the above-referenced docket to amend the Table of Allotments for the digital television ("DTV") service to change the initial DTV channel allotment for station KSKN-DT, Spokane, Washington, from channel 36 to channel 48.¹ In light of a major change in circumstances that has taken place since it filed its petition for rulemaking, Belo requests that the Commission temporarily withhold further action in the instant proceeding until the agency resolves the proposed exchange of analog and digital allotments for KUID-TV, Moscow, Idaho.² Subject to the conditions described below, grant of that exchange would result in a preferential arrangement of allotments and prevent the displacement of television translator station K48DX, which, according to its licensee, serves several thousand residents in Bonner County, Idaho.

¹ See Notice of Proposed Rule Making, MB Docket No. 02-222, RM-10491 (rel. August 9, 2002).

² See Notice of Proposed Rule Making, MB Docket No. 02-315, RM-10566 (rel. October 9, 2002).

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As Belo explained in its petition, it is severely constrained in its ability to increase KSKN-DT's power on channel 36 to a level comparable to that of other stations in the market,³ due to the presence of the channel 35 DTV allotment for KUID-DT, Moscow, Idaho. Accordingly, after acquiring KSKN in October 2001, Belo immediately set out to identify an alternate channel. DTV channel 48 can be used from the present KSKN-DT site and permits Belo to increase the station's power to a full 1000kW, enabling KSKN-DT to achieve parity in the Spokane market and provide DTV service to a much greater population.

In its comments in this proceeding, however, KHQ, Incorporated ("KHQ"), the licensee of KHQ-TV, Spokane, Washington, and television translator K48DX, Sandpoint, Idaho, stated that Belo may now be able to increase KSKN-DT's signal strength to the desired level without changing its allotment. Specifically, KHQ noted that on June 28, 2002, the Idaho State Board of Education ("Idaho PTV"), the licensee of KUID-TV, channel 12, and permittee of KUID-DT, channel 35, Moscow, Idaho, filed requests for special temporary authority ("STA") to switch channels and operate the station's digital facility on channel 12 and its analog facility on channel 35 at reduced power.⁴ This modification, KHQ stressed, in combination with the presence of terrain shielding, would permit Belo to maximize the KSKN-DT facilities without moving to channel 48 and, consequently, forcing K48DX to discontinue service.

Belo has carefully analyzed this change in circumstances. It appears that, if the exchange of the KUID-TV analog **and** digital allotments is made permanent as Idaho PTV has requested in

³ The other full-power commercial television stations with DTV allotments in the Spokane market are: KREM-DT (UHF channel 20, 979 kW); KXLY-DT (VHF channel 13, 23.3 kW); KHQ-DT (UHF channel 15, 1000 kW); and KAYU-DT (UHF channel 30, 1000kW) (pending Form 301). Belo, through a subsidiary, is the licensee of KREM-TV.

⁴ See File Nos. BSTA-20020628ACQ and BDSTA-20020628ACH. The Commission granted the requests on August 9, 2002.

its rulemaking proceeding, and if the KUID-TV analog facility on channel 35 operates as specified in its STA, then Belo can, in fact, increase KSKN-DT's power on channel 36 and achieve parity with other stations in the Spokane market. Accordingly, Belo respectfully requests that the Commission temporarily withhold further action on its proposal to change the KSKN-DT allotment to channel 48 and resolve the Idaho PTV proceeding as expeditiously as possible.⁵

However, in the event that the Commission does not grant the Idaho PTV allotment exchange promptly, or in the event that Idaho PTV seeks to operate the KUID-TV analog facility on channel 35 in a manner that would prevent Belo from achieving its desired power level for KSKN-DT on channel 36, Belo respectfully requests that the Commission immediately resume processing the instant proposal and change the KSKN-DT allotment to channel 48. Although it would result, unfortunately, in the discontinuation of service by K48DX, the Commission has stated repeatedly that television translators are a secondary service and "must give way to new operations by primary users of the spectrum, including . . . new full service DTV stations."⁶

In sum, Belo remains committed to the DTV transition and to serving viewers in the Spokane, Washington area with a maximized KSKN-DT signal. Should the Commission grant the proposed Idaho PTV allotment exchange expeditiously, Belo, in the spirit of cooperation and in the interest of a preferential arrangement of allotments, is willing to increase KSKN-DT's

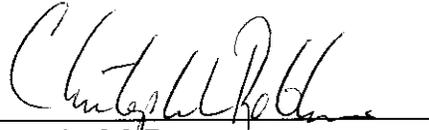
⁵ **Prompt action is especially important since, as Belo has previously stated, the KSKN-DT transmitter site is located at a high elevation on top of a mountain, and snow and ice generally prevent access to the site except during the summer months.**

⁶ **See, e.g., Sixth Report and Order, Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order, 13 FCC Rcd 7418 (1998); Tyler, Texas, and Lufkin, Texas, Report and Order, MM Docket Nos. 01-244 and 01-245 (released Oct. 9, 2002).**

power on channel 36 instead of channel 48. Accordingly, given Belo's desire to bring KSKN-DT's digital service to the public as quickly as possible, Belo respectfully requests that the Commission temporarily defer action on the instant channel 48 proceeding and accelerate its resolution of the Idaho PTV rulemaking proceeding.

Respectfully submitted,

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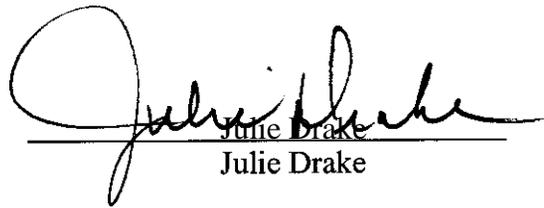
CERTIFICATE OF SERVICE

I, Julie Drake, a secretary in the law firm of Wiley Rein & Fielding LLP do hereby certify that I have on this 15th day of October, 2002 caused a copy of the foregoing "Reply Comments of KSKN Television, Inc." to be served by first class mail, postage prepaid, upon the following:

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