

terrain or simply distance from the transmitter. Emerging networks like PAXTV that largely rely on UHF full-power television stations face relatively greater disparities in their “reach” than their VHF competitors. The Commission has recognized that “the inherent physical limitations of this medium” generally limit UHF stations from obtaining the same coverage of their markets that VHF stations have.¹ In fact, the national television ownership cap reflects a “UHF discount” to account for this “actual voice handicap.”²

The Petition demonstrates that television translators permit broadcasters to provide programming to a “very significant portion of rural America.”³ Indeed, as the Commission itself recognized, the secondary television service provides an “extremely valuable service . . . , often representing the only source of free, over-the-air broadcasting in rural areas.”⁴ PCC submits that a rural television translator service could greatly expand the viewing choices and diversity in rural areas by helping to compensate for the physically limited reach of affiliates of emerging networks like PAXTV that typically broadcast on the relatively inferior UHF band.

Recent Commission practices, however, have limited full-power television stations’ ability to acquire television translators, resulting in many rural communities without diverse, local programming services. As the Petition explains, since the initiation of filing windows in the early 1990s, authorizations for television translator stations have been delayed and, in some cases, unavailable due to the Commission’s processing limitations and reliance on short filing windows

¹ *Amendment of Section 73.3555 [formerly Sections 73.35, 73.240 and 73.636] of the Commission's Rules Relating to Multiple Ownership of AM, FM and Television Broadcast Stations*, Memorandum Opinion and Order, 100 FCC 2d 74 ¶ 43 (1985) (“[T]he laws of physics dictate that UHF signal strength will decrease more rapidly with distance than does VHF signal strength.”).

² *Id.* at ¶ 44; 47 C.F.R. § 73.3555(e)(2)(i).

³ *Petition* at 8.

⁴ *Establishment of a Class A Television Service*, Report and Order, 15 FCC Rcd 6355 ¶ 35 (2000).

spaced years apart.⁵ As a result, television translator service to rural areas by emerging networks is “almost completely lacking.”⁶ Accordingly, without rural television translators, Americans in rural communities will continue to be deprived of the diversity of free, over-the-air television programming services that are available in the more densely populated areas of the country.

In light of the critical role of rural television translators, PCC urges the Commission to consider the Proposal carefully and initiate a rule making proceeding to adopt new rules and procedures that facilitate the expansion of rural television translators. By doing so, the Commission will ensure that its fundamental goals of promoting diversity and localism in television broadcasting are realized in all areas of the country.

Respectfully submitted,

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May 16, 2003

⁵ See *Petition* at i.

⁶ *Id.* at 8-9.