

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

In the Matter of)
)
Application of)
Paxson Greenville License, Inc.) MM Docket No. 03-15
WEPX(TV), Greenville, NC)
) File No. BFRECT-20050210AWK
Negotiated Channel Arrangement for)
First Round Digital Channel Election)
)
To: The Secretary
Attn: Chief, Media Bureau

REPLY COMMENTS

Paxson Greenville License, Inc. ("Paxson"), licensee of television station WEPX(TV), Greenville, North Carolina (the "Station"), hereby responds to the comments of Newport License Holdings, Inc. ("Newport") regarding the above-referenced channel election application. The Station was allotted Channel 38 but is considered a "singleton" as it holds no paired allotment. The Station thus is at a comparative disadvantage to many other broadcast television stations who, as a part of the Commission's channel election process, could choose between one of two assigned allotments for post-transition operation.

Paxson is concerned about the Station's ability post-transition to replicate digital service on its allotted channel and accordingly examined whether an alternative channel might provide improved digital coverage. Paxson concluded that Channel 51 not only would preserve existing service, but the channel offered the potential in the future for expanded service to those who do not currently receive it.

The Commission's channel election process permitted stations to elect a channel unassigned to them by entering into a negotiated channel arrangement (NCA). Channel 51, however, was not assigned to any station in the market -- not that stations were restricted under NCAs from electing such channels -- so there was no explicit party with whom to negotiate. Paxson accordingly contacted a number of other stations in the market (prior to the Commission's creation of a formalized objection period)¹ to see if they objected to the Station's election of Channel 51, and none was received. Paxson identified the stations it contacted on Schedule A of the Form 382.

Newport, licensee of station WCTI-TV (New Bern, North Carolina), was one of the stations Paxson listed on Schedule A. Newport filed comments explaining that it had not entered into an NCA with Paxson. Paxson apologized for obviously compelling Newport to file such comments. Paxson should have been more clear, as some other stations were in preparing their election forms, that the identified parties on Schedule A were listed because they had not objected to the Station's election of Channel 51. Two parties had returned signed acknowledgements to Paxson indicating that they did not object to the Station's election of Channel 51.²

¹ The Commission did not establish a formalized objection period until a few days before elections were due. *Public Notice*, "DTV Channel Election Issues – Negotiated Channel Arrangements, Establishment of Form 382 Mailbox, Revisions to FCC form 381 Certifications, and Notification to FCC of Flash Cut Decisions, DA 05-273 (Feb. 1, 2005).

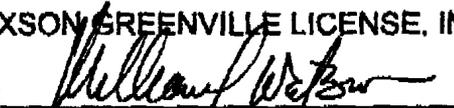
² Paxson received signed acknowledgements from Capitol Broadcasting Company, Inc., licensee of WRAL-TV, Raleigh, NC, and WRAZ-TV, Inc., licensee of WRAZ-TV, Raleigh, NC. WRAZ-TV indicated that it had no objection to the Station's election unless the FCC rejected WRAZ-TV's election of Channel 49.

Paxson hopes and certainly believes that Newport has not been prejudiced in any way by listing WCTI-TV on Schedule A. Paxson notes that Newport's comments verify that it does not object to the Station's election of Channel 51, as WCTI-TV's inclusion on Schedule A was meant to convey.

Paxson received no objections to the Station's election of Channel 51. The Commission received no objections to the Station's election of Channel 51 in its formalized objection procedures. Paxson does not believe that the election has any anti-competitive effects or that it has any adverse impact on any other station. Therefore, Paxson respectfully requests that the Commission assign Channel 51 to the Station for post-transition operation. If this election is rejected, Paxson reaffirms that it wishes to surrender its assigned channel and participate in the second round of the election process.

Respectfully Submitted,

PAXSON GREENVILLE LICENSE, INC.

By: 

William L. Watson
Secretary

Paxson Communications Corporation
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Dated: March 22, 2005

Certificate of Service

I, CYNTHIA O'JUST, certify that on this 22nd day of March, 2005 I caused the foregoing Reply Comments to be served by overnight courier on the following:

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