

# HOGAN & HARTSON

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June 29, 2005

**BY ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Washington D.C., 20554

**Re: MB Docket No. 03-15  
WTMJ-DT, Milwaukee, Wisconsin (Facility ID No. 74098)  
FCC File No. BLCDDT-20001218ACR  
Request for Extension of the July 1, 2005 Interference  
Protection Deadline**

Dear Ms. Dortch:

In response to the *Public Notice*, "DTV Channel Election Issues – Compliance with the July 1, 2005 Replication/Maximization Interference Protection Deadline; Stations Seeking Extension of the Deadline," DA-05-1636 (June 15, 2005) (the "Public Notice"), Journal Broadcast Corporation ("JBC"), licensee of analog (NTSC) television station WTMJ-TV, Channel 4, and digital television station (DTV) WTMJ-DT, Channel 28, both Milwaukee, Wisconsin, by its undersigned counsel, hereby requests limited relief from the digital construction deadline and replication requirement established in *Report and Order*, "Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion To Digital Television," FCC 04-192 (Sept. 7, 2004) ("*Second Periodic Review Order*").

JBC has been operating WTMJ-DT at its authorized replication facilities at 1,000 kW ERP pursuant to a license granted on January 24, 2001. See FCC File No. BLCDDT-20001218ACR. JBC therefore has satisfied the requirement specified in the *Second Periodic Review Order* that it "construct full, authorized facilities" for WTMJ-DT. However, the transmission line divider network feeding WTMJ-DT's 4-bay antenna recently suffered heat damage, as a result of which it has become necessary for WTMJ-DT to reduce ERP to 250 kW. On June 28, 2005, JBC filed a request for special temporary authority (the "STA Request") for reduced-power operation of WTMJ-DT; JBC anticipates restoring the station to its licensed

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parameters in the near future. (For convenience, a copy of the STA Request is attached hereto.)

Notwithstanding its historical operation of WTMJ-DT at full facilities, as a consequence of the partial failure of its antenna system and the temporary reduction in operating power described in the STA Request, it will be impossible for JBC to be in compliance with the replication requirement as of July 1, 2005. Accordingly, JBC hereby requests a waiver and extension of the deadline pending the completion of repairs to WTMJ-DT's antenna system so that the station can be afforded interference protection to its authorized service area to the full extent permitted under the *Second Periodic Review Order*.

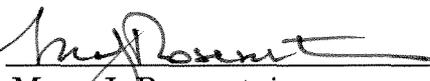
Grant of this request will serve the public interest. JBC has operated WTMJ-DT at its full, authorized facilities for several years, thereby advancing the Commission's goal of achieving a rapid and efficient transition from analog to digital broadcasting. WTMJ-DT intends to return to operation at its full, authorized facilities as soon as the necessary repairs can be completed. Furthermore, equipment failure is precisely the sort of circumstance "beyond a station's control" that the Commission has recognized warrants relief from DTV construction mileposts. See *Second Periodic Review Order* at par. 87.

Accordingly, for the reasons described above and in the STA Request, JBC respectfully requests a waiver and six-month extension of the July 1, 2005 replication deadline.

Please direct any questions regarding this submission to the undersigned.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

By:   
Mace J. Rosenstein  
Tarah S. Grant

Attorneys for Journal Broadcast Corporation

cc: Shaun Maher, Media Bureau

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JUN 28 2005

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**BY COURIER**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Mass Media Services  
P.O. Box 358165  
Pittsburgh, Pennsylvania 15251-5165

**Re: Journal Broadcast Corporation  
FRN: 0002-7101-92  
Request for Special Temporary Authority  
WTMJ-DT, Milwaukee, Wisconsin, FAC ID 74098**

Dear Ms. Dortch:

On behalf of Journal Broadcast Corporation ("Journal"), the licensee of WTMJ-TV, Milwaukee, Wisconsin (the "Station"), we hereby request special temporary authority ("STA") to operate with parameters at variance.

Alerted by increased voltage standing wave ratios, Journal recently determined that the transmission line divider network feeding the Station's 4-bay antenna has suffered heat damage. As a result of this damage, it has become necessary for the Station to radiate from two of the four antenna bays and to reduce ERP to 250 kW. Journal has ordered replacement parts from the manufacturer and anticipates restoring the station to licensed parameters in the near future depending on parts delivery schedules and weather conditions that might inhibit tower work. Accordingly, Journal requests STA to operate the Station with parameters at variance pending necessary repairs to the Station's transmission lines.

The undersigned has been authorized to state that no party to this request is subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

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Enclosed is a Form 159 with a credit card payment to cover the filing fee. Also enclosed is an additional copy of this STA request to be stamped as received and returned via our courier. Any communications regarding this matter should be directed to the undersigned in addition to the licensee.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

By: Mace J. Rosenstein  
Mace J. Rosenstein

Attorneys for Journal Broadcast  
Corporation

cc: WTMJ-TV Public Inspection File