

DOW, LOHNES & ALBERTSON, PLLC
ATTORNEYS AT LAW

SCOTT S. PATRICK
DIRECT DIAL 202-776-2885
spatrick@dowlohn.com

WASHINGTON, D.C.
1200 NEW HAMPSHIRE AVENUE, N.W. · SUITE 800 · WASHINGTON, D.C. 20036-6802
TELEPHONE 202-776-2000 · FACSIMILE 202-776-2222
www.dowlohn.com

ONE RAVINIA DRIVE · SUITE 1600
ATLANTA, GEORGIA 30346-2108
TELEPHONE 770-901-8800
FACSIMILE 770-901-8874

June 30, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: MB Docket No. 03-15
KPHO-DT (Phoenix, Arizona)
Facility ID No. 41223
FCC File No. BMPCDT-20040721AMJ
Request for Waiver of July 1, 2005 Replication/Maximization Deadline

Dear Ms. Dortch:

Meredith Corporation (“Meredith”), licensee and permittee of KPHO-DT (Phoenix, Arizona) (the “Station”), by its attorneys, hereby requests waiver of the Commission’s July 1, 2005 replication/maximization interference protection deadline. Meredith continues to await grant of its pending “checklist” application (FCC File No. BMPCDT-20040721AMJ) and thus is not authorized to complete construction.

In its *Second DTV Periodic Review Report and Order*,¹ the Commission adopted a July 1, 2005 replication/maximization interference protection deadline for DTV licensees affiliated with the top-four networks in the top 100-ranked designated market areas (“DMAs”). If a station subject to this deadline had not completed construction of its replication or maximization facilities by this date it would lose interference protection to the unserved area. The Commission further stated that, in cases where a station was unable to meet the applicable deadline due to “circumstances beyond a station’s control,” it would “grant extensions of the applicable replication or maximization interference protection deadline on a six-month basis if good cause

¹ Second Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television, *Report and Order*, 19 FCC Rcd 18279 (rel. Sept. 7, 2004) (“*Report and Order*”).

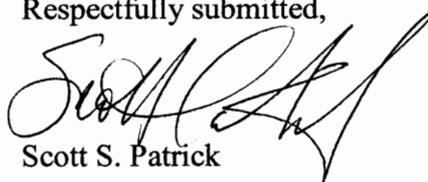
is shown.”² To receive such a waiver, broadcasters were required to make a showing “similar to that required to obtain a waiver of the DTV construction deadlines.”³

Meredith believes it satisfies the Commission’s standard for waiver of the maximization/replication deadline for the Station. According to the Commission’s staff, the pending “checklist” application, despite having been filed nearly a year ago, continues to await Mexican approval. In its FCC Form 381 Pre-Election Certification, Meredith certified that it would construct facilities pursuant to a construction permit application that had not yet been authorized because of a pending international coordination issue (FCC File No. BCERCT-20041105AJJ).

Meredith has filed a “checklist” application, and the Station already is licensed with a service area that nearly reaches the “checklist” area. Accordingly, Meredith believes it has satisfied the Commission’s checklist policies as set forth in paragraph 113 of the *Report and Order*. Indeed, Meredith understandably is confused as to why the construction permit application proposing such facilities has remained pending for so long.

Based upon the foregoing, Meredith believes that it has shown good cause for the Commission to grant waiver of the maximization/replication deadline for the Station. Should any questions arise, please contact the undersigned.

Respectfully submitted,



Scott S. Patrick

cc: Shaun Maher (FCC)

² *Id.*, ¶ 87. See also 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 (rel. June 15, 2005).

³ *Report and Order*, ¶ 87.