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August 15, 2005

FILED ELECTRONICALLY

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

**Re: DTV Channel Election: First Round Conflict Decision
File No. BFR CET-20050815AAE**

**Arizona State Board of Regents for Arizona State University
KAET-DT, Phoenix, AZ (Facility ID 2728)**

MB Docket No. 03-15

Dear Ms. Dortch:

Pursuant to the FCC's Public Notice of August 2, 2005 (DA-05-2233), attached hereto is a Channel Election Conflict Resolution and Interference Agreement entered into between Arizona Board of Regents for Arizona State University, licensee of KAET and KAET-DT, Phoenix, Arizona, and KAZT, L.L.C., licensee of KAZT-TV and KAZT-DT, Prescott, Arizona, together with a technical statement.

A copy of the agreement is being sent to Nazifa Sawez via e-mail and First Class U.S. mail.

Respectfully submitted,



Jennifer A. Johnson
Counsel for Arizona State Board of Regents for
Arizona State University

Attachment

CHANNEL ELECTION CONFLICT RESOLUTION AND INTERFERENCE AGREEMENT

MB Docket No. 03-15

This Negotiated Conflict Resolution Agreement (“Agreement”) is entered into pursuant to the *Report and Order* in the *Second Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 03-15, FCC 04-192, released by the Federal Communications Commission (“FCC”) on Sept. 7, 2004. Parties to this Arrangement are the Arizona Board of Regents, noncommercial educational licensee of KAET(TV) and KAET-DT, Phoenix, AZ (collectively, “KAET”) and KAZT, L.L.C., licensee and permittee, respectively, of KAZT-TV and KAZT-DT, Prescott, AZ (collectively, “KAZT”).

KAET currently holds authorizations to transmit its analog signal on channel 8 and its DTV signal on channel 29. In the FCC Form 382, KAET indicated an election of channel 8 for its post-DTV transition operation.

KAZT currently holds FCC authorizations to transmit its analog signal on channel 7 and its DTV signal on channel 25. In the FCC Form 382, KAZT indicated an election of channel 7 for its post-DTV transition operation. On June 15, 2005, the FCC provided KAZT a tentative DTV channel designation on channel 7 for such operation.

On June 7, 2005, the FCC sent a letter to KAET stating that its post-DTV transition operation on channel 8 would create 0.5 percent impermissible interference to the baseline service population of KAZT’s “elected NTSC [channel] 7.” The letter further stated that KAET may resolve the conflict by, among other options, “negotiating a conflict resolution agreement with the station(s) with which [KAET is] in conflict.”

The attached Statement of Hammett & Edison, Inc. provides technical information concerning the interference that KAET’s channel 8 operation would cause to KAZT’s channel 7 operation. The statement indicates that KAET would be the only known contributor of interference to KAZT, and thus cumulative interference to KAZT in the post-transition environment would also be no more than 0.5 percent. The statement provides a map showing the predicted interference from KAET to KAZT, and demonstrates that the interference would occur on the edge of KAZT’s service area and would not affect KAZT’s community of license. The statement also shows that eleven DTV stations, including KAET, are predicted to provide coverage to the area of interference; moreover, KAET is the only PBS-affiliated noncommercial educational station providing coverage to the area of interference.

In light of the above, KAZT hereby consents to KAET’s election of channel 8 for its post-transition operation and the resulting interference to 0.5 percent of KAZT’s baseline service population.

The parties affirm their belief that this Arrangement would serve the public interest and further an orderly DTV channel election process. The parties acknowledge that this Channel Election Conflict Resolution and Interference Agreement may be submitted to the FCC.

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This Arrangement may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

ARIZONA BOARD OF REGENTS

KAZT, L.L.C.

By: 

By: _____

Title: Deputy V.P. Public Affairs

Title:

Date: Arizona State University
5-11-05

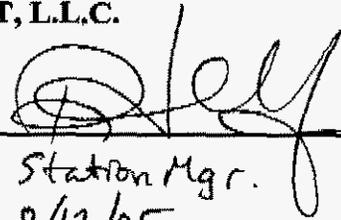
Date:

This Arrangement may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

ARIZONA BOARD OF REGENTS

KAZT, L.L.C.

By: _____
Title:
Date:

By: 
Title: Station Mgr.
Date: 8/12/05

**Station KAET-DT • Allotted DTV Channel 29, Requested DTV Channel 8 • Phoenix, Arizona
Station KAZT-DT • Allotted DTV Channel 25, Requested DTV Channel 7 • Prescott, Arizona**

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by the licensees of Stations KAET-DT, Facility ID No. 2728, Phoenix, Arizona, and KAZT-DT, Facility ID No. 35811, Prescott, Arizona, to provide additional technical information with respect to the proposed DTV interference agreement between the two stations.

Background

In its FCC Form 382 filing, Station KAET-DT elected DTV Channel 8, its existing analog NTSC channel, in lieu of its presently assigned DTV Channel 29. Station KAZT-DT elected DTV Channel 7, its existing NTSC channel, in lieu of its presently assigned DTV Channel 25. The FCC letter of June 7, 2005, specified KAET-DT interference of 0.5% to KAZT-DT.

Proposed Conditions

The proposed KAET-DT Channel 8 post-transition operation is specified in the technical summary of accompanying Figure 1. This proposed operation of Station KAET-DT is the only known contributor to the Station KAZT-DT Channel 7 operation. Thus, the cumulative interference to KAZT-DT also would be 0.5%. The contour map and tabulation of accompanying Figure 2 demonstrate that 11 DTV stations, including KAET-DT, are predicted to provide coverage to all KAZT-DT interference cells. The contours shown are based on facility operations selected in the November 2004 FCC Form 381 filings, and do not necessarily represent operation on specific post-transition DTV channels.

List of Figures

In carrying out these engineering studies, the following attached figures were prepared under my direct supervision:

1. Summary of proposed KAET-DT post-transition operating conditions
2. Remaining DTV services in predicted loss area.



Stanley Salek
Stanley Salek, P.E.

August 10, 2005



**Station KAET-DT • Allotted DTV Channel 29, Requested DTV Channel 8 • Phoenix, Arizona
Station KAZT-DT • Allotted DTV Channel 25, Requested DTV Channel 7 • Prescott, Arizona**

Engineering Specifications of Proposed KAET-DT DTV Channel 8 Operation

A. Transmitter Site

FCC Tower Registration No.	1001134
Geographical Coordinates (NAD27)	33° 20' 00" N 112° 03' 49" W

Phoenix South Mountain Park, 12 kilometers south of Phoenix, Arizona

B. Height

Elevation of site above mean sea level	818 m
Height of tower plus appurtenances above site	106 m
Overall height above mean sea level	924 m
Effective height of antenna above site	94 m
Effective height of antenna above mean sea level	912 m
Height of radiation center above average terrain (licensed)	549 m

C. Antenna

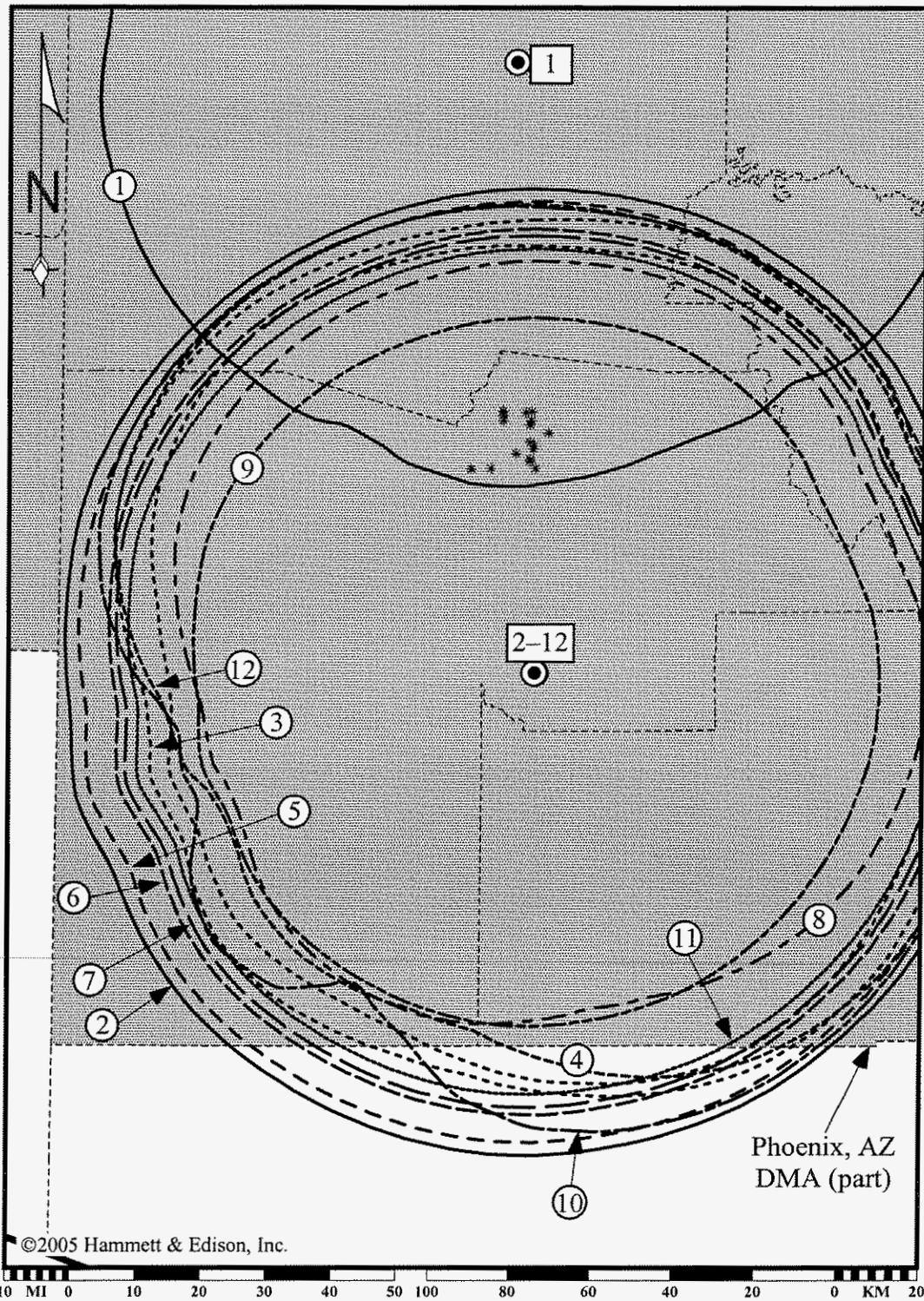
Make/model	RCA, Type TW-9A8	traveling wave
Direction of main lobes		omnidirectional
Electrical beam tilt		0.5°
Mechanical down tilt		none
Polarization		horizontal

D. Operation

Channel	8
Effective Radiated Power	26.7 kW

Station KAET-DT • Allotted DTV Channel 29, Requested DTV Channel 8 • Phoenix, Arizona
 Station KAZT-DT • Allotted DTV Channel 25, Requested DTV Channel 7 • Prescott, Arizona

Remaining DTV Services in Predicted Loss Area Based on
 KAZT-DT (Elected D7) Interference Cells Caused by Proposed KAET-DT Operation
 Noise-Limited Contour Projections



* = Predicted Incremental Interference In Cell Totaling 0.5% of KAZT-DT Service Population

Albers equal area map projection. County lines shown taken from 2000 U.S. Census Bureau TIGER data.

**Station KAET-DT • Allotted DTV Channel 29, Requested DTV Channel 8 • Phoenix, Arizona
 Station KAZT-DT • Allotted DTV Channel 25, Requested DTV Channel 7 • Prescott, Arizona**

**Remaining DTV Services in Predicted Loss Area Based on
 KAZT-DT (Elected D7) Interference Cells Caused by Proposed KAET-DT Operation
 Station Index and Evaluation Summary**

<u>No.</u>	<u>Call Sign</u>	<u>Facility ID No.</u>	<u>Location</u>
<u>Station Under Study</u>			
1.	KAZT-DT	35811	Prescott, Arizona
<u>Station Causing Predicted Interference Cells</u>			
2.	KAET-DT	2728	Phoenix, Arizona
<u>Stations Providing Coverage to All Predicted Loss Cells</u>			
3.	KTVK-DT	40993	Phoenix, Arizona
4.	KPHO-DT	41223	Phoenix, Arizona
5.	KPNX-DT	35486	Mesa, Arizona
6.	KNXV-DT	59440	Phoenix, Arizona
7.	KPAZ-DT	67868	Phoenix, Arizona
8.	KTVW-DT	35705	Phoenix, Arizona
9.	KDTP-DT	83491	Phoenix, Arizona
10.	KUTP-DT	68886	Phoenix, Arizona
11.	KPPX-DT	26655	Tolleson, Arizona
12.	KASW-DT	7143	Phoenix, Arizona

Note

Determinations based on projection of noise-limited contours,
 using FCC Form 381 basis selections for each listed facility.