



**FOX TELEVISION STATIONS, INC.**

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*A Unit of Fox Television*

Shaun Maher, Esq.  
Federal Communications Commission  
Room 2-A820  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: MB Docket No. 03-15

Dear Mr. Maher:

Fox Television Stations, Inc. ("Fox"), permittee of television station of WRBW-DT, Orlando, Florida, File No. BPCDT-20000501ADF, respectfully requests that the Commission waive the July 1, 2006 "use-it-or-lose-it" deadline for full-power DTV operation adopted by the Commission at paragraph 78 of the *Second DTV Periodic Review Report and Order of the Commission's Rules and Policies Affecting the Conversion To Digital Television*, MB Docket No. 03-15, RM 9832, released September 7, 2004 (19 FCC Rcd 18,279), pursuant to the procedure set out in Public Notice DA 06-1255, released June 14, 2006.

WRBW is one of Fox's 35 owned and operated television stations. WRBW-DT has been operating at low power pursuant to Special Temporary Authority ("STA"), File No. BEDSTA-20020905ABI, since April 2002, providing the requisite coverage of Orlando.

WRBW-DT has filed an application for a minor change to amend its Construction Permit, File No. BMPCDT-20060623ABG, to reduce its effective radiated power. This modification still will allow the facility to provide coverage in excess of its originally-allotted DTV facilities and its replication contours *i.e.*, "paragraph 78 facilities," as referred to in the Public Notice dated June 14, 2006, DA 06-1255. As soon as this application is granted, WRBW will be able to operate at its fully-authorized power. It is only the pendency of this application that keeps WRBW-DT from meeting its maximization deadline of July 1, 2006.

As additional evidence of Fox's good faith, the Commission merely need look to its overall in implementing DTV to date:

- Thirty-two of Fox's thirty-five owned and operated television stations currently are operating at full facilities;
- Of Fox's remaining three owned and operated stations, two are operating low-power DTV facilities pursuant to STA; one of these, WGHP-DT, is awaiting grant of a Construction Permit modification application that will permit it to operate at maximized facilities from a newly-constructed tower, and the other, KSTU-DT, is on the verge of completing its full-power buildout on a remote mountain site

outside of Salt Lake City. Finally, KFTC, a full-power satellite station, will “flash cut” to DTV on its NTSC channel at the time of the DTV transition;

- All of Fox’s DTV facilities implemented dynamic PSIP in a timely fashion;
- Fox has granted digital carriage rights to numerous multichannel video providers nationwide on behalf of all of its owned and operated stations and includes digital carriage provisions in all of its retransmission consent agreements.

As the foregoing illustrates, Fox’s commitment to DTV implementation cannot be questioned, and the modest waiver of time sought for WRBW-DT’s full-power operation should be granted.

Respectfully submitted,



Molly Pauker

Attachments