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July 3, 2006

VIA ECFS

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

Re: MB Docket No. 03-15  
*In the Matter of Second Periodic Review of the Commission's Rules and Policies  
Affecting the Conversion to Digital Television*  
Waiver of July 1, 2006 Digital Replication Deadline  
WGFL(TV), High Springs, Florida, Facility ID No. 7727

Dear Ms. Dortch:

WGFL License Corporation, the licensee of WGFL(TV) and permittee of WGFL-DT, High Springs, Florida, Facility ID No. 7727 ("WGFL"), by its attorneys, hereby submits this request for a waiver and six month extension of the July 1, 2006 deadline by which a station outside of the top-100 markets must replicate or lose interference protection ("Replication Deadline").<sup>1</sup> As further set forth herein, WGFL cannot fully replicate its certified facilities because its application for minor modification of its digital television ("DTV") construction permit remains pending. For these and other reasons set forth herein, WGFL submits that grant of a waiver and extension of the Replication Deadline would be in the public interest.

Licensees, like WGFL, that receive a tentative DTV channel designation on their current digital channel must construct full, authorized DTV facilities by July 1, 2006. In its Form 381 Pre-Election Certification, WGFL certified that it would operate its post-transition DTV station based on its allotted replication facilities.<sup>2</sup> On June 16, 2006, WGFL filed a Form 301 application for minor modification of its DTV construction permit. The Minor Mod Application

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<sup>1</sup> See Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, *Order*, 19 FCC Rcd 18,279 (rel. Sept. 7, 2004) ("*Second Periodic Review Order*").

<sup>2</sup> See BCERCT-20041104AYQ.

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seeks a construction permit with technical parameters designed to replicate. In its June 14, 2006 Public Notice, the Federal Communications Commission (“Commission”) stated as follows: “If such licensee has not received approval of its modification application prior to the Replication Deadline, then it should file a request for waiver of the interference protection deadline.”<sup>3</sup> Because the Minor Mod Application remains pending, and because grant of such application is outside of WGFL’s control, WGFL is seeking a waiver consistent with the Public Notice. Upon grant of the Minor Mod Application, WGFL will be prepared to complete construction because it has ordered and received all necessary equipment. WGFL anticipates that construction will take approximately five to ten days to complete.

As set forth herein, WGFL cannot complete construction of its DTV facilities prior to the Replication Deadline due to circumstances beyond its control—namely, the pending status of its Minor Mod Application. Thus, WGFL respectfully requests that the Commission grant a waiver and extension of the Replication Deadline. WGFL also requests that the Commission extend the term of its DTV STA so that WGFL may continue to serve its viewers with a digital signal.<sup>4</sup>

Please direct any questions or inquiries regarding this matter to the undersigned.

Respectfully submitted,

/s/

Tom W. Davidson, Esq.

cc: Shaun Maher, Esq. (via e-mail)

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<sup>3</sup> See DTV Channel Election Issues – Compliance with the July 1, 2006 Replication/Maximization Interference Protection Deadline; Stations Seeking Extension of the Deadline, DA 06-1255, *Public Notice*, at 3 (rel. June 14, 2006).

<sup>4</sup> Per the informal advice of the FCC staff, WGFL is filing a separate letter request seeking extension of its DTV STA.