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July 3, 2006

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**ELECTRONICALLY FILED  
(VIA ECFS)**

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

**Re: MB Docket No. 03-15  
WMCN-DT, Atlantic City, New Jersey (Facility ID No. 9739)  
Request for Waiver of Replication/Maximization Interference  
Protection Deadline**

Dear Ms. Dortch:

On behalf of Lenfest Broadcasting, LLC (“Lenfest”), the permittee of digital television (“DTV”) station WMCN-DT, Atlantic City, New Jersey (Facility ID No. 9739), we hereby request a waiver of the July 1, 2006 replication/maximization interference protection deadline.<sup>1</sup>

WMCN-DT is a digital-only station which operates on DTV channel 44 and has received a tentative channel designation on that channel. Accordingly, WMCN-DT is required to be operating with full, authorized DTV facilities by July 1, 2006.<sup>2</sup> The station holds a construction permit (the “Original CP”) specifying an ERP of 200 kW and an antenna height above average terrain (“HAAT”) of 283.9 meters.<sup>3</sup>

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

<sup>2</sup> See *Second Periodic Review of the Commission’s Rules and Regulations Concerning the Transition to Digital Television*, MB Docket No. 03-15, FCC 04-192, ¶ 78 (rel. Sept. 7, 2004).

<sup>3</sup> See FCC File No. BPCDT-19990604KF.

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WMCN-DT currently operates with an ERP of 200 kW at a HAAT of 212 meters pursuant to special temporary authority (“STA”).<sup>4</sup>

WMCN-DT’s antenna is located on a tower owned by the New Jersey Public Broadcasting Authority (“NJPBA”), licensee of educational TV station WNJS-TV, Camden, New Jersey. At the time Lenfest obtained WMCN-DT’s Original CP, it was understood that NJPBA intended to increase the height of its tower. Unfortunately, NJPBA has been delayed in its efforts to increase the tower’s height due to various financial and state regulatory issues – all of which are outside of Lenfest’s control. Without the increase in the tower’s height, WMCN-DT is physically unable to raise its antenna to the height specified in the Original CP.

Based on these circumstances and in light of the approaching deadline, on June 16, 2006, Lenfest filed an FCC Form 301 application to modify its Original CP to match the STA facilities with which WMCN-DT is currently operating.<sup>5</sup> The application remains pending. Once the application is granted, Lenfest will quickly file a license application to cover the facilities.

In light of the foregoing, and as directed in the June 14 Public Notice, Lenfest respectfully requests that the Commission grant a waiver of the July 1, 2006 replication/maximization interference protection deadline applicable to WMCN-DT.

If there are any questions concerning this matter, please contact the undersigned.

Sincerely,

    /s/ John M. Burgett    

John M. Burgett

cc (by email): Shaun Maher

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<sup>4</sup> See FCC File No. BDSTA-20020612AEK, as extended. The most recent extension of this authority, see FCC File No. BEDSTA-20060308ADA, expires on July 1, 2006. Concurrently herewith, Lenfest is submitting an electronic filing to request a further extension of the STA.

<sup>5</sup> See FCC File No. BMPCDT-20060616ABB.