

COVINGTON & BURLING LLP

1201 PENNSYLVANIA AVENUE NW WASHINGTON
WASHINGTON, DC 20004-2401 NEW YORK
TEL 202.662.6000 SAN FRANCISCO
FAX 202.662.6291 LONDON
WWW.COV.COM BRUSSELS

ROBERT M. SHERMAN
TEL 202.662.5115
FAX 202.778.5115
RSHERMAN@COV.COM

July 7, 2006

VIA ELECTRONIC FILING

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

Re: Waiver of July 1, 2006 Replication/Maximization
Interference Deadline
MB Docket No. 03-15

Barrington Broadcasting Texas Corporation
KVII(TV), Amarillo, TX
Facility ID No. 40446

Dear Ms. Dortch:

Pursuant to the instructions set forth in Public Notice DA 06-1255,¹ Barrington Broadcasting Texas Corporation (“Barrington”), licensee of KVII(TV), Amarillo, TX (“KVII”),² respectfully requests waiver of the Commission’s July 1, 2006 replication/maximization interference deadline.³

On June 5, 2006, the Commission granted Barrington’s application for a minor modification to its construction permit to authorize Barrington to operate KVII(DT) post-transition on Channel 7 at 50 kW effective radiated power (File No. BMPCDT - 20060504ACC). The Commission’s grant authorized KVII to provide full digital service to the population authorized by its original construction permit (File No. BPCDT-19991029ACE).

¹ *DTV Channel Election Issues – Compliance with the July 1, 2006 Replication/Maximization Interference Protection Deadline*, DA 06-1255 (rel. June 14, 2006) (“Interference Protection Notice”).

² KVII is the ABC affiliate in Amarillo, TX, which is Nielsen DMA Market Rank 131.

³ *See Second Periodic Review of the Commission’s Rules & Policies Affecting the Conversion to Digital Television*, 19 FCC Rcd. 18,279, at ¶ 78 (2004) (“DTV Biennial Review R&O”).

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To ensure that it could build out to this modified construction permit, Barrington purchased all of the necessary equipment, including an antenna and transmission line, required to construct compliant facilities. All required equipment is either at the transmitter site or ready to be immediately delivered to that site. To install this equipment and complete construction of KVII's authorized facilities, Barrington contracted with an outside tower construction and maintenance company.

According to Barrington's arrangement with that company, all necessary tower upgrades and installations, such as the installation of combiners and splitters on the transmission line and of the authorized side-mounted antenna, would be completed before the Commission's July 1, 2006 interference protection deadline. Barrington was recently informed by the tower company, however, that unexpected delays on other jobs have prevented it from completing its KVII obligations before July 1. This late notice of the delay has made it infeasible for Barrington to arrange for an alternative engineering firm to perform the installation by July 1, and Barrington believes, notwithstanding the delay, that the existing tower company will be able to complete construction of KVII's authorized digital facilities more quickly than any alternative firm.

Barrington has taken all steps within its power to complete construction of its authorized digital facilities before the July 1 deadline, and its inability to meet that deadline is due wholly to "circumstances beyond its control."⁴ Indeed, Barrington is diligently working towards full digital service, and it fully expects to complete construction by the end of the summer. A waiver of the replication/maximization deadline would therefore ensure Barrington's ability to fully serve its population during and after the transition, and protect its substantial investment in its authorized digital facilities. Good cause therefore exists for a waiver of the replication/maximization deadline as applied to KVII.

Respectfully submitted,


Robert M. Sherman

*Counsel for Barrington
Broadcasting Texas Corporation*

cc: Shaun Maher (via electronic mail)

⁴ *DTV Biennial Review R&O* at ¶ 87.