



LEVENTHAL SENTER & LERMAN PLLC

July 7, 2006

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Via ECFS

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

Re: MB Docket No. 03-15
Request for Waiver of the July 7, 2006
Replication/Maximization Interference Protection Deadline
Television Station KZTV, Corpus Christi, Texas
Facility ID No. 33079

Dear Ms. Dortch:

Eagle Creek Broadcasting of Corpus Christi, L.L.C. ("Eagle Creek"), the licensee of Station KZTV(TV) and the permittee of Station KZTV-DT, Corpus Christi, Texas (Facility ID No. 33079), by its attorneys, hereby requests a waiver of the July 7, 2006 replication/maximization interference protection deadline for KZTV-DT.

Eagle Creek has diligently pursued construction of the full power digital facilities for KZTV-DT authorized in FCC File No. BMPCDT-20051129AMP, and reasonably anticipated that construction of those facilities would be completed by the July 7, 2006 replication/maximization deadline. However, due to circumstances beyond its control, Eagle Creek will be unable to complete construction of those facilities by that date.

Following the grant of Eagle Creek's application for the above-referenced minor modification of the construction permit for KZTV-DT late in 2005, Eagle Creek consulted with equipment manufacturers to complete orders for the new transmitter, antenna and transmission line for KZTV-DT. Eagle Creek's finalized order for KZTV-DT's new 5kW DTV transmitter was placed with DMT USA Inc. on April 6, 2006, while its finalized order for KZTV-DT's new UHF slot antenna and transmission line was placed with Jampro Antenna, Inc. on April 25, 2006. At that time, Eagle Creek received assurances from both vendors that the equipment would be delivered in time to complete the construction of the full power digital facilities for KZTV-DT by July 1, 2006. However, Eagle Creek was subsequently notified that the delivery of that equipment had been delayed. Specifically, DMT USA Inc. notified Eagle Creek that shipment of the KZTV-DT transmitter from Lissone, Italy, had been delayed due to factory workload, production backlogs and delays in the delivery of channel sensitive components. *See* Letter dated May 23, 2006 from Thomas E. Newman, Executive Vice President, DMT USA Inc., to



Gino Ricciardelli, Consulting Engineer to Eagle Creek. Similarly, Jampro Antenna, Inc. notified Eagle Creek that delivery of the KZTV-DT antenna and transmission line was delayed due to production backlogs. *See* Letter dated May 22, 2006 from Greg Montano, Domestic Sales, Jampro Antennas, Inc., to Gino Ricciardelli. As a result of these unanticipated delays in the delivery of the requisite equipment, Eagle Creek will be unable to complete construction of the full power facilities for KZTV-DT by July 7, 2006.

As the attached letters indicate, both DMT USA Inc. and Jampro Antennas, Inc. anticipate that the equipment necessary to construct KZTV-DT will be shipped to Eagle Creek in July 2006. Although Eagle Creek reasonably anticipates that construction can be completed by September 1, 2006, out of an abundance of caution, Eagle Creek respectfully requests a six month extension of the July 7, 2006 deadline, to and including January 8, 2007.

Eagle Creek has demonstrated its commitment to the digital transition. As the Commission has been advised, Eagle Creek commenced reduced power digital operations on Station KZTV-DT on January 5, 2004 pursuant to Special Temporary Authority, and the station has continued to broadcast digitally in this manner since that time. *See* FCC File No. BEDSTA-20060126ARU. Eagle Creek has also made a good faith effort to complete construction of its full power digital facilities for KZTV-DT by the July 7, 2006 deadline, but was unable to do so due to circumstances beyond its control. Accordingly, Eagle Creek submits that an extension of the July 7, 2006 replication/maximization interference protection deadline for KZTV-DT is clearly warranted, amply justified and respectfully requested.

Respectfully yours,

Dennis P. Corbett
John D. Poutasse

Attachments

cc: Shaun Maher, Esq. (via electronic mail)
Ms. Nazifa Sawez (via electronic mail)



May 23, 2006

Mr. Gino Ricciardelli
Northwest Broadcasting LP
608 Murray Hill Road
Vestal, NY 13850-3826

Re: *KZTV-DT Transmitter Delivery Status*

Dear Mr. Ricciardelli:

This letter is to advise you of a change in the delivery status of the 5 kW DTV transmitter for KZTV-DT, Corpus Christi, TX. It was anticipated when we received signed proposal acceptance dated April 6, 2006, that delivery to make the July 1, 2006, on-air requirement could be met.

Shipment of the transmitter from our Lissons, Italy, factory is currently scheduled for the end of July. This delay is caused by factory load and production backlog as well as channel sensitive component delivery delays from our vendors. We apologize for this situation and ask that you apply for an extension from the FCC until at least September 1, so there is adequate time for transportation, customs clearance, installation, turn-on and proof prior to the on-air date.

Thank you for your attention to this matter. Please contact me immediately with any other concerns or questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Newman', written in a cursive style.

Thomas E. Newman
Executive Vice President



May 22, 2006

Gino Ricciardelli
Broadcast Engineering Consultant

Re: KZTV-DT, Corpus Christi, TX

Dear Mr. Ricciardelli,

Pursuant to our conversation regarding the KZTV-TV antenna, this letter provides you an update.

Jampro Antennas, Inc. received an order for a UHF slot antenna for KZTV-TV on April 25, 2006. The Ch. 18 Antenna is in production and currently being manufactured.

Jampro Antennas, Inc. anticipated shipping the antenna to meet the July 1, 2006 deadline; however, due to a production back log, the antenna will be ready to ship in July 2006.

Please feel free to contact Jampro Antennas, Inc. if you have any questions or would like additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Montano", is written over the typed name.

Greg Montano
Domestic Sales
Jampro Antennas, Inc.