Holland & Knight

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Washington, D.C. 20006
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July 7, 2006

DAVID A. O'CONNOR
202-828-1889
david.oconnor@hklaw.com

VIA ECFS

Marlene H. Dortch, Esq., Secretary
Federal Communications Commission
236 Massachusetts Ave., NE, Suite 110
Washington, DC 20002
Attention: Video Division, Media Bureau

Re: **MB Docket No. 03-15**
KAAL-DT, Austin, Minnesota
Facility ID No. 18285
Request for Waiver of the July 7, 2006 Maximization Deadline

Dear Ms. Dortch:

KAAL-TV, LLC ("KAAL"), by its attorneys, hereby submits this Request for Waiver ("Request") of the July 7, 2006 replication deadline set forth in the Commission's *Second Periodic Review*.[1] Specifically, KAAL requests a six-month waiver of the replication deadline owing to reasons beyond its control.

Background

KAAL is the licensee of analog television station KAAL-TV, Channel 6, Austin, Minnesota and the permittee of digital television ("DTV") station KAAL-DT, Channel 33, Austin, Minnesota (Facility ID No. 18285). In November 2004, KAAL notified the Commission that KAAL-DT would replicate the station's 1997 analog facilities rather than maximize

[1] *Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, Report and Order, MB Docket No. 03-15, FCC 04-192 (rel. Sept. 7, 2004) ("*Second Periodic Review*"). The Request is in compliance with the Commission's June 14, 2006 *Public Notice* in this proceeding, as amended by the Commission's June 29, 2006 Public Notice extending the response deadline to July 7, 2006. *See DTV Channel Election Issues – Compliance with the July 1, 2006 Replication/Maximization Interference Protection Deadline; Stations Seeking Extensions of the Deadline*, Public Notice, DA 06-1255 (rel. June 14, 2006) ("*Public Notice*"). *See DTV Channel Election Issues – Media Bureau Extends Filing Deadline for Compliance with the July 1, 2006 Replication/Maximization Interference Protection Deadline to July 7, 2006*, Public Notice, DA 06-1372 (rel. June 29, 2006) ("*Second Public Notice*").

facilities.[2] KAAL-DT originally was assigned Channel 33 as its allotted digital channel. However, KAAL entered into a Negotiated Channel Election ("NCE") arrangement for Channel 36 which was approved by the Commission, and the Commission tentatively has assigned Channel 36 to KAAL-DT.[3] Pursuant to the *Second Periodic Review*, a station that receives a tentative channel designation on a channel that is not its current DTV channel must serve, by July 7, 2006, at least 80 percent of the number of viewers served by the 1997 facility on which its replication coverage is based.[4] DTV stations failing to meet that deadline face potential loss of interference protection in the future.[5] Absent a grant of this Request, the July 7, 2006 replication deadline would be applicable to KAAL-DT.

In the *Second Periodic Review* in this proceeding, the Commission recognized that certain circumstances may warrant flexible enforcement of the replication deadline. To this end, the *Second Periodic Review* adopted a waiver process to provide for six-month extensions of the replication protection deadline. In a recent *Public Notice*, the Commission provided further guidance regarding the waiver process.[6] The *Public Notice* requires a petitioner to demonstrate "severe financial constraints or circumstances beyond [the petitioner's] control."[7] KAAL submits that it satisfies the latter criterion. KAAL will be unable to meet the July 7 replication deadline because of technical delays beyond its control and despite its diligent efforts to comply with the July 7 deadline, as set forth below.

Discussion

Specifically, in 2001, structural engineers examined the tower on which the KAAL-TV is situated (the "Myrtle Site") to determine if the tower also could accommodate the KAAL-DT antenna. The structural engineers determined that the tower was "quite overstressed" already, that it would have required significant reinforcement welding and would only accommodate the most minimal DTV facilities. *See* Exhibit 1. Furthermore, the structural engineers noted that the tower could be overstressed easily in the event of a winter ice storm if both the analog and digital antennas were loaded on the tower. *See id.* In 2005, KAAL's consulting engineers concluded that the DTV facilities that could have been accommodated on the tower would not have permitted service to 80% of the number of viewers served by the 1997 KAAL-TV facility.

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[2] *See* FCC File No. BCERCT-20041105AVW.

[3] CDBS records reflect that the Commission approved the NCE arrangement on June 8, 2005 (*see* FCC File No. BFRCCT-20050304ABP).

[4] *Second Periodic Review*, ¶ 78. Some licensees were required to comply with a July 1, 2005 deadline, but the applicable deadline for KAAL-DT is July 7, 2006.

[5] *Id.* ¶ 85.

[6] *Public Notice*, at 5.

[7] *Id.*

As a result, KAAL began searching for a new tower location for the KAAL-DT facilities. KAAL diligently scouted potential tower locations and eventually began negotiating a lease agreement with KTTC Television, Inc. for space on its tower. Unfortunately, KAAL had considerable difficulty locating an acceptable facility and negotiating a lease. KAAL also negotiated an agreement to purchase land in Grand Meadows, Minnesota (the "Grand Meadows Site"), with a view to constructing a new tower, and sought a "Determination of No Hazard" from the Federal Aviation Administration ("FAA") for the Grand Meadows Site. The FAA issued a determination on January 24, 2006. *See* Exhibit 2. However, because of the delay in receiving FAA approval, KAAL determined that it would be unable to construct the tower in time to meet the replication deadline, and began exploring other options. As a result, KAAL decided to conduct a second structural analysis of the tower at the Myrtle Site.[8]

KAAL obtained a quote from Malouf Engineering, Intl, Inc. ("Malouf Engineering") for a structural analysis of the tower at the Myrtle Site. Less than two weeks later, in mid-February 2006, Malouf Engineering produced a structural analysis report with recommendations for tower modifications to support KAAL-DT operations. KAAL quickly approved of the engineering proposal and paid for the commencement of the structural modification drawings and further analysis. Malouf Engineering's final analysis was completed at the end of March 2006.

In March and April of 2006, KAAL ordered over $250,000 worth of equipment from Harris Corporation and hired Electronics Research, Inc. to complete the structural upgrades to the tower and install the KAAL-DT antenna. *See* Exhibit 3. Unfortunately, equipment delivery has been delayed because of delays with the tower modifications. Specifically, the guy wires to support the tower structure have not been installed yet. A crew has been scheduled to arrive the week of July 10, 2006 to install the guy wires. *See* Exhibit 4. Accordingly, the new KAAL-DT antenna (which, once installed, will provide replication services) cannot be installed until the guy wires are in place. ERI estimates that the DTV equipment will be shipped and installed the week of July 17, 2006. *See id.* KAAL estimates that it will take approximately three to four weeks for the installation crews to install the transmitter and antenna once the guy wires are in place.

Thus, for technical reasons beyond its control, KAAL is unable to comply with the July 7, 2006 replication deadline. KAAL submits that it has satisfied the waiver criteria set forth in the *Public Notice*, and respectfully requests a six-month waiver of the July 7, 2006 deadline so that it may complete construction of KAAL-DT's replication facilities.

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[8] The ANSI IEEE 22g code was adopted in 2006 and is a slightly more flexible code than the code that was in place when the original structural analysis was conducted. This change in code caused KAAL to revisit the idea of reinforcing the tower at the Myrtle Site.

Associated Filings

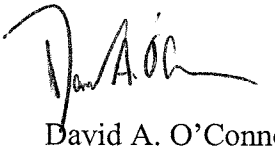
KAAL has separately filed, via CDBS, a request for extension of the KAAL-DT STA authorization, *see* FCC File No. BDSTA–20020220ABS,[9] for extension of the KAAL-DT Construction Permit, *see* FCC File Nos. BCPDT-19991022ABU, and for modification of the KAAL-DT facilities to specify replication facilities instead of maximization facilities. *See* FCC File No. BMPCDT-20060706ADT.

Conclusion

For the reasons set forth above, KAAL respectfully requests a six-month extension of the July 7, 2006 deadline for complying with the build-out requirements set forth in the *Second Periodic Review*.

Respectfully submitted,

HOLLAND & KNIGHT LLP



David A. O'Connor
Amy S. Mushahwar
Counsel for KAAL-TV, LLC

Enclosures

cc (via e-mail): Shaun Maher, FCC

3894308_v1

[9] KAAL-DT has been operating pursuant to STA since September 18, 2002. However, the DTV facilities authorized in the STA are not sufficient to replicate (*footnote continued on page 5*) KAAL-TV's 1997 facilities, thus requiring the filing of this Request.

DECLARATION

I, Wendell Nelson, the Chief Engineer of KAAL-TV, LLC, the licensee of KAAL-TV, Austin, Minnesota and permittee of KAAL-DT, Austin, Minnesota, hereby declare, under penalty of perjury, that the following is true and correct to the best of my knowledge, information and belief:

1. I have reviewed the foregoing Request for Waiver of the July 1, 2006 Replication Deadline.
2. Except for facts of which official notice may be taken, I have personal knowledge of the allegations of fact contained therein, and those allegations of fact are true and correct to the best of my personal knowledge and belief.

Wendell R Nelson

Wendell Nelson

Date: 6/29/06

EXHIBIT 1

Letter to KAAL-TV from LeBlanc Engineering, dated June 6, 2001

LeBLANC Broadcast Inc.
461 Cornwall Rd., PO Box 880, Oakville, ON, Canada L6J 5C5
Tel: (905) 844-1242 Fax: (905) 339-4024

06 June 2001

KAAL-TV
1701 10th P1 NE
Austin, MN
55912

Attention: Mr Wendell Nelson

Re: Tower structural engineering analysis of the existing 1000' guyed tower at Austin, MN
LeBlanc File: 01-77-015

Enclosed please find our engineering report on analysis of your tower. Since this tower is a Dresser product, we had the analysis work performed by Joseph Vellozzi, who is a tower consulting engineer that we occasionally outsource analyses to. He is quite experienced with this brand of tower. As you can see from the attached report, he attempted several wind/ice combinations and even tried to utilize the ASCE (American Society of Civil Engineers) 7 –1998 code instead of the EIA-222-F tower code. In nearly all cases, the tower is overstressed to a such a degree that the only way to reinforce the mast would be to field weld pipe sleeves to much of the tower legs. The replacement of the inadequate guys with larger sizes to achieve the safety factors required by the code results in further increases to the mast overstress which simply aggravates the problem.

We obtained a "site specific" wind value for the exact tower co-ordinates in the hope that the 1 in 50 year design windspeed for the KAAL tower location would be less than the county value of 80 Mph specified in the EIA code. The site specific value returned was 81 Mph. One further note of importance, the tower foundation capacities could not be ascertained using the drawings supplied, but we can infer from the substantial increase in foundation loads vs the original design loads that they too would be overstressed. Please note that the overstress percentages reported in the attached letter from Joseph are for the "DTV LITE" antenna configuration, consisting typically of a small UHF antenna comparable to the Andrew ALP12. As indicated in the report, the stress values for the full size antenna are approximately 10 % more.

In short, the tower "as is" is quite overstressed and the addition of any antenna (small DTV or full size) simply aggravates this condition. This degree of overstress is typical for towers that were originally designed to the EIA-C code or earlier (which did not include any ice) and which are now checked to the EIA-222-F code which mandates ice loading in the design. While it may be possible to attempt to reinforce this tower, we would not recommend it nor would we normally undertake any type of reinforcing that necessitates field welding. The only viable solution resulting from Joseph's analysis would seem to be that the tower might be reinforceable without welding if we apply the ASCE-7 code and not the EIA tower code, however the modifications would still be extensive in that guys would have to be replaced and a large number of mid-panel horizontals would have to be installed. And this solution would then only allow the installation of the DTV LITE antenna (EG ALP12 with a 3" heliax), not the full size DTV antenna originally specified. Since this is an interim RF solution at best, it would seem that performing such extensive tower reinforcing just to accommodate the DTV LITE scenario would not be cost effective.

If you have any questions, please give me a call.

Yours very truly,

LeBLANC

John McKay, P.Eng.
Sales Engineer

EXHIBIT 2

Federal Aviation Administration "Determination of No Hazard to Air Navigation"

Federal Aviation Administration
Air Traffic Airspace Branch, ASW-520
2601 Meacham Blvd.
Fort Worth, TX 76137-0520

Aeronautical Study No.
2005-AGL-4499-OE

Issued Date: 01/24/2006

WENDALL NELSON
KAAL
1701 10TH PLACE NE
AUSTIN, MN 55912

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type:	Antenna Tower
Location:	GRAND MEADOWS, MN
Latitude:	43-36-25.5 NAD 83
Longitude:	92-33-59.0
Heights:	1100 feet above ground level (AGL)
	2495 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure should be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K, Obstruction Marking and Lighting, 24-hr hi-strobes - Chapters 4,7(HIWOL),&12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

NA At least 10 days prior to start of construction
(7460-2, Part I)

X_ Within 5 days after the construction reaches its greatest height
(7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 07/24/2007 unless:

(a) extended, revised or terminated by the issuing office.
(b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed , as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on

the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is subject to review if an interested party files a petition on or before February 23, 2006. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted in triplicate to the Manager, Airspace and Rules Division - Room 423, Federal Aviation Administration, 800 Independence Ave, Washington, D.C. 20591.

This determination becomes final on March 5, 2006 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (202)267-9219. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4499-OE.

Signature Control No: 431302-433999 (DNH)

Kevin P. Haggerty
Manager, Obstruction Evaluation Service

Attachment(s)
Additional Information
Frequency Data
Map
7460-2 Attached

Additional Information for ASN 2005-AGL-4499-OE

THIS DETERMINATION SUPERSEDS THE DETERMINATION OF NO HAZZARD TO AIR NAVIGATION ISSUED, ON JANUARY 12, 2006. THIS IS A CORRECTION TO THE STRUCTURE''S NEAREST AIRPORT.

The proposal, a 1100 foot AGL antenna tower, is located approximately 17.00 nautical miles (NM) southwest of the Flying A Airport, Chatfield, MN. It would exceed the obstruction standards of the Title 14 CFR, Part 77 as follows:

Section 77.23(a)(1) by 600 ft. - a height more than 500 ft. AGL

Section 77.23(a)(3) by 886 feet. A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument fight altitude within that area or segment to be less than the required obstacle clearance (TERPS criteria). The proposal would require the expansion of the Rochester Minimum Radar Vectoring Altitude (MVA) Area ''J'' Expanding the current 3 nautical miles (NM) Circle approximately 2.36 NM south.

The proposal was circularized for public comment by letter dated October 19, 2005. No letters of objection were received as a result of circularization.

Aeronautical study disclosed that the Federal Aviation Administration (FAA), upon receipt of Supplemental Notice, could expand the Rochester MVA Area ''J'' Circle 2.36 NM south in order to accommodate the proposed construction without having a substantial adverse effect upon instrument flight rule (IFR) operations, procedures, or minimum flight altitudes. Therefore the proposal would have no further effect on any existing or planned instrument flight rules (IFR) operations, procedures, minimum flight altitudes or air navigation and communications facilities.

Study for visual flight rules (VFR) effect disclosed that the proposal would be beyond all known public-use airport traffic pattern airspace, but at 1,100 feet AGL it would penetrate altitudes considered available for VFR enroute operations.

FAA guidelines for determining effects on VFR enroute air navigation are that an object could have adverse effect upon air navigation if it would exceed a height of 500 feet AGL and would be located within two statute miles of a regularly used VFR route identifiable by well defined natural or manmade landmarks or a specific VOR route radial. The study revealed that the structure would be on a Federal Victor Airway (V-87) which could be considered a VFR route. However, study did not reveal any basis to show regular and continuing use of the route by aircraft operating under VFR, indicating available airspace in which pilots could navigate, and, pilots at low altitudes would not be within specific VOR signal reception. Also, study did not reveal any basis to show regular and continuing use of the specific area by aircraft operating under VFR weather conditions. For those aircraft which could be in the area and/or during periods of reduced visibility, the antenna tower would be sufficiently conspicuous by the installation of the obstruction marking and lighting system (24 hour high strobe) which is a condition to this determination. This lighting will assist pilots in identifying and circumnavigating the structure when flying in accordance with FAR, Part 91.119, Minimum Safe Altitudes, and Part 91.155, Basic VFR Weather Minimums.

Therefore, the FAA concluded that the proposal would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation or communication facilities and could not be a hazard to air navigation.

Frequency Data for ASN 2005-AGL-4499-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
584	590	MHz	1000	KW

Map for ASN 2005-AGL-4499-OE

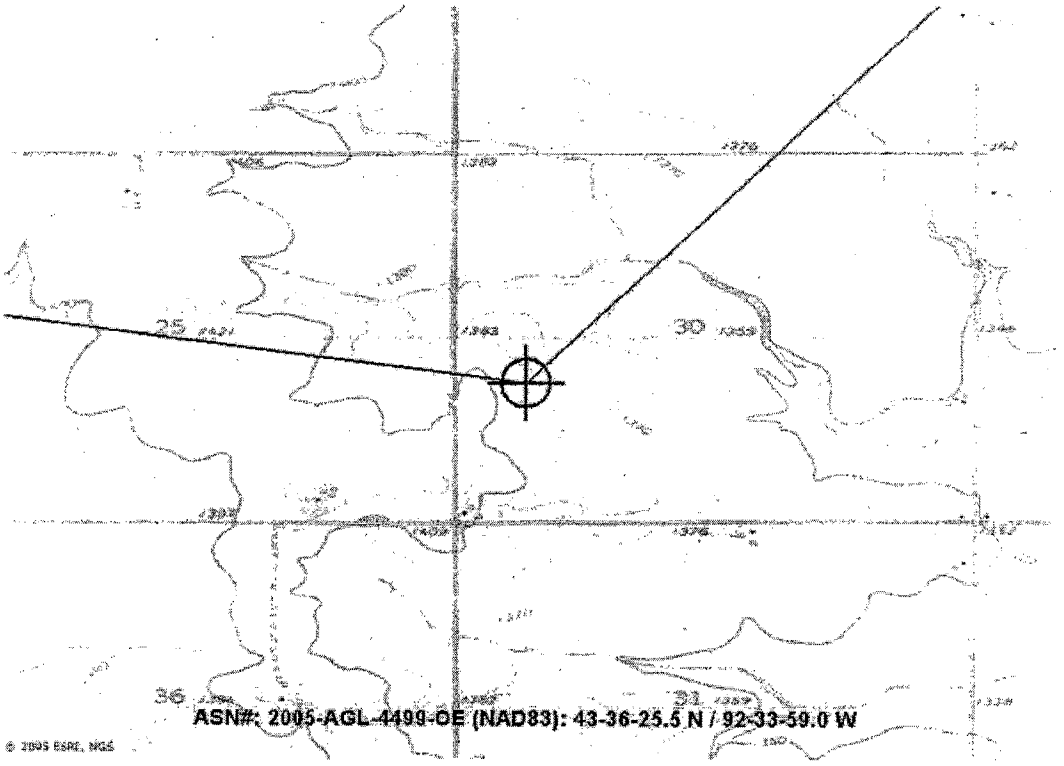


EXHIBIT 3

Quotations of Harris Corporation and Electronic Research, Inc.

HARRIS

Harris Corporation
Broadcast Communications Division
3200 WISMANN LANE
PO BOX 4290
Quincy IL 62305 USA
(Tel) 217-222-8200

Sales Order Acknowledgement

Order Number: ME10000220
Sales Team: Gaylen Evans

Please advise us promptly, and in any event within ten (10) days from the date hereof, if your order has not been entered correctly. When communicating with us concerning this order, please mention the Sales Order Number.

Bill To: KAAL-TV, LLC
KAAL-TV PO BOX 577
AUSTIN MN 55912 USA

Sold To: KAAL-TV
PO BOX 577
AUSTIN MN 55912-0577 USA

Attn:
Phone:
Fax:

Attn:
Phone:
Fax:

Freight Terms	Effective Date	Payment Terms	Purchase Order Number
Origin Prepaid	Feb/24/2006	33D33SBN30	2242006

Line Item	Product Number / Product Description	Requested Ship Date	Qty Ordered	UOM	Ship To ID / Location	Unit Price	Total
1	CD3100P1 SigmaCD 1-IOT 21kW DTV Xmtr	06/09/2006	1	EA	2420309-1 1	302,734.00	302,734.00

Configuration:	Option	Option Value	Config Value
	UHF Region Selection		NSA
	UHF Channel/Frequency		U33
	TV Channel Offset		0
	Which exciter with the Xm	APEX	APEX Exciter
	UHF Region Selection	NSA	North/South America
	UHF Channel/Frequency	U33	585.25
	Tube Manufacturer	E2VBUILDUP	EEV Buildup - IOT8*/IOTD2*
	Dual Exciter Required:	N	
	AC Mains Frequency:	60	Hz
	Transmitter Power Output	21.000	
	TV Channel Offset	0	None
	Precise Frequency Control	N	
	Mains Voltage	480	
	For high altitude transmit	N	

Line Item	Product Number / Product Description	Requested Ship Date	Qty Ordered	UOM	Ship To ID / Location	Unit Price	Total
2	STDWAR1 STANDARD ONE YEAR WARRANTY	06/09/2006	1	EA	2420309-1 1	0.00	0.00
3	ECDISIGMACD2 ECDISIGMACD2	06/09/2006	1	EA	2420309-1 1	11,990.00	11,990.00

Configuration:	Option	Option Value	Config Value
	Call letters / Site ID:	KAAL	

ERI. ELECTRONICS RESEARCH, INC.

SUBMITTED BY: James E. Heard
12510 Yorkshire Drive
Homer Glen, IL 60491-6863
E-Mail jheard@eriinc.com

Quotation

SUBMITTED TO:
Station KAAL
1701 10th Place NE
Austin, MN. 55912

Attention: Mr. Wendell Nelson

Tel: 507-437-6666
Fax: 507-355-6663
E-Mail: WNelson@6newsfirst.com

QUOTATION NUMBER: JEH030806-01B Rev A

Page 1

DATE: 08 March, 2006

VALID TO: 08 April, 2006

YOUR REFERENCE: KAAL-DT

F.O.B. POINT: ERI Factories

TERMS: See Below

ITEM NO.	QUANTITY	TYPE	DESCRIPTION	TOTAL AMOUNT
1.0	1	ALP24M4-HSO-33	ERI ALP UHF Transmit Antenna	$45,096.75
1.1	1	MOUNT-001	ERI custom mounts for the above ALP 24 Prior to determining the design of this mount an analytical study needs to be run so as to achieve your optimal pattern performance.	$8,840.00
1.2	1	SCA-001	Analytical Antenna Tower Study Computer analysis using ERI proprietary electromagnetic scattering software to predict and characterize tower induced effects on the azimuth pattern to assist with selecting an optimal mounting location. Analytical Tower Study by Computerized Modeling Detailed Tower Data Required Beam Tilt & Pattern Data Analysis is Included Azimuth Patterns and Tabulations, both Free Space & Scattered Patterns Elevation Patterns and Tabulated Data	$3,500.00
2.0	1	HJ11-50	Andrew HELIAX ™ Premium Flexible Coaxial Transmission Line System: This includes all exterior hangers, wall feed-thru, and grounding. All lengths are based upon above specification. - Vertical Length, 900 Ft - Horizontal Length, 80 Ft.	$47,751.25
3.0	1	MT1000-32325	Andrew DryLine™ MT Automatic Regenerative The capacity of this unit is 550ft³ 208/230 Vac Sound Deadened Humidity Alarm, Emergency Run and Power Failure Alarms	INCLUDED
5.0	1	TST-001	Transmission System Inspection and Test The inspection and performance testing will be done after the system installation is completed. The tests shall at a minimum include measuring the system VSWR of the antenna and transmission line system. The customer shall supply climbing personnel to assist the ERI field engineer for up to 2 days. System tuning will be done as well during this process	INCLUDED
			Hubbard Broadcasting - Discounted Pricing	$105,188.00

Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610
Tel 812-925-6000
Fax 812-925-4030

James E. Heard
Tel 708-570-0663
Mob 708-205-2070
Fax 708-570-0843

By J E Heard

James E. Heard
Account Manager
ERI Television Broadcast Systems

(ERI Quote A – (12/03)

Acceptance by buyer

Please enter our order for the above items in accordance with this quotation.

Co KAAL-TV
By Wendell R Nelson
Title Chief Engineer Date 5/1/06
P.O. No. 5012006

EXHIBIT 4

Letter from Electronics Research, Inc. to KAAL-TV dated June 26, 2006

ELECTRONICS RESEARCH, INC.

26 June, 2006

Mr. Wendell Nelson
Station KAAL
1701 10th Place NE
Austin, MN 5591276

Re: KAAL-DT, DTV Ch. 25, Austin, MN.

Dear Mr. Nelson:

This letter is in response to your inquiry about the status of the equipment ordered by KAAL Television of Austin, MN. for the build out of the digital television ("DTV") facilities for your full power television station KAAL-DT, DTV Ch. 33, Austin, MN, which is due to be completed by July 1, 2006. We first began discussions with you regarding the design of the DTV transmission system for KAAL-DT in July, 2005, and submitted a final firm quotation to KAAL on 21, April 2006 (ERI Quotation No.JEH041106-01M Rev C), for the DTV antenna, transmission line and turnkey installation. KAAL accepted the quotation and paid the required deposit(s) on 04 May, 2006 with the equipment to be shipped by the week of June 12th, 2006.

However, due to our tremendous backlog of orders for this type of DTV equipment and installations services, we have not been able to meet the original delivery deadline of June 12th 2006. Based on the current backlog of DTV orders, we expect to be able to ship and install the ordered DTV equipment for KAAL-DT by the week of July 17th 2006. Much of this delay is due to our inability to control the delays incurred by our installations crews. We have a crew currently scheduled to arrive on-site a week earlier, the week of July 10th, 2006 to begin the necessary tower repairs required before performing your DTV antenna and transmission line installations.

Sincerely,

Eastern Account Manager
TV Products

7777 Gardner Road
Chandler, IN 47610-9219
USA

+1 812 925-6000 (tel)
+1 812 925-4030 (fax)
877 ERI-LINE (toll-free)

Sales@eriinc.com
CustomerSupport@eriinc.com
www.eriinc.com

3882675_v2