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FILED VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W., Room TW-A325
Washington, DC 20554

**Re: MB Docket No. 03-15
WACY(TV), Appleton, Wisconsin (FIN-361)
Supplement to Request for Waiver of Replication Deadline**

Dear Ms. Dortch:

On behalf of Ace TV, Inc. ("Ace"), licensee of WACY(TV), Appleton, Wisconsin, this letter is to update the Commission with respect to the status of WACY(TV)'s DTV buildout and to supplement WACY(TV)'s pending request for a waiver and six-month extension of the Commission's "use-it or lose-it" replication deadline.

Previously, by letter dated July 25, 2006, Ace sought an extension of the use-it or lose-it replication deadline for WACY(TV) based on the fact that the station was awaiting authorization for a slight modification to its authorized full-power DTV facilities on Channel 27. As stated in Ace's July 25th letter, until that requested modification was granted and constructed, the station could not fully replicate its certified facilities. Just last week, on September 20, 2006, the Commission granted the requested modification, FCC File No. BMPCDT-20060627ABU. This modified construction permit will permit the station to diplex its signal with the signal of co-located station WGBA-DT, using an existing antenna currently employed by WGBA-DT.

This is not a case where a station has done nothing to construct its digital facilities. In fact, this is just the opposite. As the Commission is aware, WACY(TV) commenced DTV operations on Channel 59 pursuant to STA over four years ago, and is operating a full-power digital facility on that channel. A request for extension of WACY-DT's current STA to permit the station to continue its DTV service on Channel 59 until such time as the station's full replication facilities on Channel 27 are completed is pending before the Commission. (See FCC File No. BEDSTA-20060725AFJ). As Channel 59 is outside of the core, Ace petitioned the FCC

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for a change of channels to Channel 27. WACY(TV) was only granted a construction permit for facilities on Channel 27 on January 25, 2006, and then had to modify that permit in order to allow the station to diplex its transmissions with another television station on the same tower.

As the orders for the necessary equipment were made some time ago, the station is moving aggressively to complete the full, authorized DTV facilities on Channel 27 pursuant to the recently granted construction permit. The equipment manufacturer estimates that the station's transmitter will ship in mid-October with installation to follow thereafter. Accordingly, if all goes according to schedule, the station hopes to complete construction and commence digital operations on Channel 27 consistent with the replication requirements by the end of the year, if not sooner. Ace will continue to update the record in this matter, and once the station commences operations and files a covering license application it will withdraw the pending request for waiver and extension of the use-it or lose-it deadline.

If there are any questions regarding this request, please contact the undersigned.

Respectfully submitted,

A handwritten signature in blue ink that reads "Brendan Holland".

Brendan Holland

cc: Shaun Maher (Via Hand Delivery)