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OF COUNSEL

February 16, 2007

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St., SW  
Washington, DC 20554

**Re: MB Docket No. 05-317  
Pollack/Belz Broadcasting Co., LLC  
Television Station KIEM-DT, Eureka, California (Facility ID# 53382)  
TELEVISION STATION SECTION 339(a)(2)(D)(vii) WAIVER REQUEST.**

Dear Ms. Dortch:

Pollack/Belz Broadcasting Co., LLC ("PBBC"), by its counsel, hereby requests for its station KIEM-DT, Eureka, California, a six-month waiver of the digital testing requirement for determining the distant signal eligibility of Direct Broadcast Satellite ("DBS") subscribers.

Pursuant to Section 339(a)(2)(D)(viii) of the Communications Act, as amended by Section 204 of the Satellite Home Viewer Extension and Reauthorization Act of 2004,<sup>1</sup> a station is eligible for a waiver if "no satellite carrier is providing the retransmission of the analog signals of local network stations under section 338 in the local market." No DBS service provider currently offers local-into-local service in the Eureka, California market. Accordingly, KIEM-DT is eligible for a waiver of the digital testing requirement.

The fact that local-into-local service is not available in the local market is one of which the FCC ought to be able to take notice. However, in an abundance of caution, we are supplementing the instant waiver request with a sworn declaration to this effect.

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<sup>1</sup> A timely request for waiver was submitted on February 15, 2007, but on careful review, an erroneous reference to the applicable law occasioned the need to submit an *erratum*. The instant resubmission of the waiver request in corrected form, along with this footnote, constitutes our *erratum*. Also supplied herewith, as stated in the waiver request, is a sworn declaration in support of the facts alleged herein.

Marlene H. Dortch  
February 16, 2007  
Page 2

Accordingly, the grant of this request for waiver is warranted.

Respectfully submitted,

**POLLACK/BELZ BROADCASTING  
CO., LLC**

By: s/ Stuart W. Nolan, Jr.  
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