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Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

**Re: Television Station Section 339(a)(2)(D)(viii) Waiver Request  
WSMH-DT, Flint, MI (FIN: 21737)  
MB Docket No. 05-317**

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Dear Ms. Dortch:

Pursuant to Section 339(a)(2)(D) of the Communications Act of 1934, as amended by the Satellite Home Viewer Extension and Reauthorization Act of 2004 (“SHVERA”),<sup>1</sup> WSMH Licensee LLC, the applicant for a construction permit for WSMH-DT, Flint, Michigan (“WSMH”), hereby requests a further six-month waiver of the FCC’s rule permitting satellite subscribers to qualify, under a digital signal strength test, for satellite retransmission of distant digital network signals. In May 2006, the Media Bureau concluded that the necessity to coordinate WSMH’s proposed digital operations with Canadian stations justified a six-month digital testing waiver until October 31, 2006.<sup>2</sup> The Media Bureau subsequently extended the waiver until October 31, 2007 for the same reason.<sup>3</sup> The station’s application for a full-power digital facility is

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<sup>1</sup> See 47 U.S.C. § 339(a)(2)(D), as amended by Section 204 of SHVERA.

<sup>2</sup> See *In the Matter of Waiver of Digital Testing Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004*, DA 06-801, at ¶ 15 (2006).

<sup>3</sup> See *In the Matter of Waiver of Digital Testing Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004*, DA 06-2232, at ¶ 6 (2006); *In the Matter of Waiver of Digital Testing Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of*

