

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Third Periodic Review of the) MB Docket No. 07-91
Commission's Rules and Policies)
Affecting the Conversion to Digital Television)
)

To: The Commission

COMMENTS OF LAMBERT BROADCASTING OF BURLINGTON, LLC

Lambert Broadcasting of Burlington, LLC ("Lambert") submits these comments in response to the Commission's commencement of the Third Periodic Review of the transition to digital television.¹ In Appendix D to the *NPRM*, the Commission has published a list of stations that it believes to be "ready, or very close to ready," to make the transition. The Commission has asked licensees with stations on the list to respond as to whether the stations are in fact already prepared for the transition. Lambert is the licensee of WVNY-DT, Burlington, Vermont (facility ID 11259), which is identified on this list.² It submits these comments in order to affirm that this station is at its final, post-transition facilities. Lambert notes that the final, authorized facilities of WVNY-DT, while falling within the service contour of the allotment set

¹ See *Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 07-91, Notice of Proposed Rulemaking, FCC 07-70 (rel. May 18, 2007) ("*NPRM*").

² See *NPRM* at n.42 (explaining that the Appendix "includes those stations whose post-transition channel is the same as their pre-transition DTV channel and that have constructed their full, authorized DTV facilities") and at Appendix D.

forth in the recently released DTV Table of Allotments,³ differs in certain respects from the technical facilities specified in the DTV Table, as noted below.⁴

The FCC granted the license to cover the station's final DTV facilities in January of 2007. *See* FCC File No. BLCDDT – 20061113ABH. These facilities have certain discrepancies from the facilities in the recently released DTV Table of Allotments. Specifically, the actual height above average terrain (“HAAT”) is 831 meters, while the Commission has listed a HAAT of 852 meters in the DTV Table of Allotments. In addition, the station's antenna ID is 71724 and its longitude is 72-48-57 (degrees-minutes-seconds), while the Commission has specified an antenna ID of 60531 and a longitude of 72-48-58, respectively.⁵

* * *

Accordingly, Lambert submits these comments to affirm that WVNY-DT has completed its digital build-out and is prepared for post-transition operation. It also notes certain differences between the facilities of WVNY-DT and the facilities in the recently released DTV Table of Allotments.

³ *See Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, Seventh Report and Order and Eighth Further Notice of Proposed Rulemaking, MB Dkt. No. 87-268, FCC 07-138 (“*DTV Table Order*”) (rel. Aug. 6, 2007).

⁴ The stations' licensed facilities are a matter of record in the Commission's CDBS database. The FCC approved these facilities in granting the digital licenses. Lambert notes that construction of WVNY-DT long was delayed by local review. Once these matters finally were resolved – which did not occur until after the filing of the Form 381 certification – Lambert requested slight modification of its construction permit on February 21, 2006 to conform the proposed facilities with the plans approved by local authorities. *See* FCC File No. FCC File No. BMPCDDT-20060221ACX.

⁵ With respect to this difference of one second in longitude, Lambert notes that where a station's licensed or permitted coordinates differ from the coordinates in the DTV Table by three seconds or less, the Commission has accepted corrections to the Table, consistent with the policy that such corrections may be licensed without a construction permit. *See DTV Table Order* at ¶ 35.

Respectfully submitted,



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