

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.**

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

REPLY COMMENTS OF GRANT COMMUNICATIONS, INC.

Grant Communications, Inc. ("Grant"), pursuant to Section 1.415 of the Commission's rules, hereby submits reply comments in the above-captioned proceeding.¹ Grant, through various affiliated companies, holds licenses for seven full power television stations in small to mid-size markets; and thus it has a significant interest in this proceeding that proposes procedures and rule changes necessary to complete the transition to digital television ("DTV").

Grant commends the Commission for its efforts to adapt its rules and policies in order to better facilitate a successful DTV transition. Grant urges the Commission to provide broadcasters maximum flexibility to do what is necessary to successfully complete the DTV transition. Maximum flexibility is especially important for broadcasters in small and mid-size markets and those that are financially challenged because their stations are not generating revenues sufficient to fund the expenses of new towers, new antennas, new transmitters, etc. In particular, Gant appreciates the Commission's proposals that would permit the reduction of analog service prior to the hard deadline for termination of analog service on February 17, 2009.

¹ *Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 07-91, FCC 07-70, 22 FCC Rcd 9478 (rel. May 18, 2007) ("*NPRM*").

The Commission's proposals to permit early reduction of analog service as set forth in the *NPRM*, however, are too restrictive, as they involve satisfaction of a complicated six-part test.²

In jointly filed comments, the Association for Maximum Service Television Inc. ("MSTV") and the National Association of Broadcasters ("NAB") urged the Commission to substitute in place of the FCC's proposed six-part test for early reduction of analog service a bright-line test whereby reduction of analog service would be permitted without FCC prior approval one year prior to February 17, 2009.³ Grant supports the MSTV/NAB recommendation to modify the FCC's proposal for a multi-prong test for reduction of analog service. The Commission's current proposal not only is too restrictive (proposed service reduction is limited to 5% of the station's service area) and overly subjective (no "unreasonable reduction in the number of services available") but engenders uncertainty because prior FCC approval is required. Broadcasters that are planning the implementation of their DTV build-outs should not be required to wait for, and their plans should not be contingent upon, FCC processing of analog reduction requests subject to a six-part test.

Grant also does not believe the MSTV/NAB proposal goes far enough. Now that the transition is only 18 months away, the Commission should give broadcasters discretion to reduce analog service immediately as long as they continue to provide service to their communities of license. Delays in permitting a reduction in analog service may result in delays in broadcasters' completing the build-out of their station's full DTV facilities. In this regard, it does not appear that there are enough experienced tower crews and engineering firms available to complete the installation of all the new DTV build-outs by February 17, 2009, if all the work must be accomplished in the last 12 months before the hard deadline. To ease the pressure on scarce

² *NPRM* at ¶ 44.

³ Joint Comments of the Association for Maximum Service Television, Inc. and the National Association of Broadcasters, MB Docket No. 07-91, August 15, 2007 ("MSTV/NAB Comments"), at 9-10.

resources, the Commission should allow an individual station to complete its DTV build-out, even if a reduction in analog service is required, whenever the station can schedule a tower or equipment installation crew. As MSTV and NAB explain, broadcasters are, and will continue to be, responsive to the needs of their viewers and will not reduce analog service unnecessarily or unreasonably.⁴

Also important to small and mid-size stations is Commission adoption of the MSTV/NAB proposal for a one-year post-transition digital ramp-up period.⁵ Grant supports the proposal that the Commission provide a reasonable amount of time, preferably a year after the transition date, for stations to complete adjustments to their digital operations without penalty and without burdensome administrative requirements. The Commission should provide flexibility to broadcasters who at least provide DTV service to their communities of license by February 17, 2009; and it should provide such broadcasters until February 17, 2010 to complete their full, authorized facilities.

Respectfully submitted,

GRANT COMMUNICATIONS INC.

/s/

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⁴ *Id.* at 10.

⁵ *Id.* at 22.