

Before the
Federal Communications Commission
Washington, D.C. 20554

FILED/ACCEPTED

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Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Advanced Television Systems and)
their Impact Upon the Existing)
Television Broadcast Service)

MB Docket No. 87-268

**PETITION OF CHANNEL 20 TV COMPANY
FOR RECONSIDERATION OF SEVENTH REPORT AND ORDER**

Channel 20 TV Company ("CTTC"), licensee of KUPN(TV), Facility ID # 63158, analog channel 3, and permittee of KUPN-DT, channel 23, Sterling Colorado, pursuant to Section 1.106 of the Commission's rules, respectfully requests that the Commission reconsider its decision in the Seventh Report and Order in this proceeding¹ as it relates to KUPN-DT. Specifically, CTTC requests reconsideration of the parameters for the station that are set forth in Appendix B to the Seventh Report and Order ("Appendix B"). These parameters allow only the replication of KUPN's existing signal, which may have been appropriate when KUPN was a satellite television station limited to rebroadcasting the signal of KTVD, Denver. The signal that KUPN-DT could broadcast pursuant to the Appendix B parameters, however, is not economically viable for a stand-alone, independent station that could better serve the public interest within the Denver DMA.

¹ Advanced Television Systems and their Impact Upon the Existing Television Broadcast Service, FCC 07-138, 42 CR 1 (rel. August 6, 2007) ("Seventh Report and Order").

Background and History

Since it first began broadcasting (as KTVS(TV)) in 1964, KUPN has always relied on a neighboring affiliated station for its economic viability. Originally, the station rebroadcast the programming of KFBC-TV (later KGWN-TV) in the adjacent Cheyenne, Wyoming DMA. In 1995, in the context of a transfer of control decision, the Commission approved the continued operation of KTVS as a satellite station and noted that it served only a small community within a large, competitive market. The Commission cited statements by media broker Brian Cobb to the effect that no competent media broker would attempt to sell KTVS as a full-service, stand-alone station because the effort would be futile and a "misuse of time given the sparsity of available revenue."² In 1999, CTTC purchased KTVS and operated it as a satellite of KTVD, Denver (Sterling is within the Denver DMA).

In 2002, CTTC changed the station's call sign to KUPN to reflect the affiliation at that time of KTVD with the UPN Television Network. When KTVD was sold in 2006, CTTC decided to try, for the first time, to operate KUPN as a full-service, stand-alone station, the sole television station licensed to Sterling, and a new independent media voice for the Denver market.

KUPN delivers a Grade B signal to only about 32,000 homes in a market of over 1.4 million television households; less than three percent of the DMA population. While Denver is the 18th largest DMA in the nation, KUPN serves an area the equivalent of market number 204 (larger than Presque Isle, Maine; but smaller than Zanesville, Ohio), yet it must compete with Denver television stations for advertising sales and the acquisition of programming.³ KUPN has not produced any revenue since its purchase by CTTC and has not broadcast any local or

² Stauffer Communications, Inc., 10 FCC Rcd. 5165 (1995), ¶ 12.

³ See the attached Declaration of KUPN's General Manager.

national spot advertising since it ceased operating as a satellite. KUPN is not carried on any cable systems, nor is it retransmitted by EchoStar or DirecTV. The station cannot be received over-the-air in Denver, the largest city by far in the DMA. It has no reported viewership on any ratings survey. Because it is within the Denver DMA, it needs to pay Denver prices for programming and, furthermore, because most syndicated programming has a barter component, with no demonstrable viewership, syndicators are not interested in the station as a programming vehicle.

CTTC has made attempts in the past to improve KUPN's facilities and provide an improved broadcast service to the communities of Northeast Colorado. In June 2002, CTTC filed a petition for rulemaking to amend the television and digital tables of allotments, moving NTSC channel 3 and DTV channel 23 from Sterling to Fort Morgan, Colorado.⁴ During the pendency of that rulemaking proceeding, the Commission eliminated the vacant allotment for NTSC channel 18 in Sterling, making KUPN the community's only possible television service. In November, 2004, CTTC requested the dismissal of the rulemaking proceeding, noting the higher bar for removal of a community's only television service, and substituted an application which retained Sterling as the community of license, but would have improved the station's broadcast signal.⁵ The Commission dismissed the November 2004 application because it proposed an increase in the station's DTV service area inconsistent with the freeze that the Commission had imposed on August 3, 2004, during the time that CTTC's petition for rulemaking was before the Commission.

⁴ See MB Docket No. 02-388, RM-10624, DA 02-3567 (Notice of Proposed Rule Making released December 24, 2002).

⁵ See File No. BMPCDT-20041105AQA.

Relief Requested

KUPN's existing analog signal is inadequate for a stand-alone station in the Denver market. The parameters listed in Appendix B would permit nothing more than a digital replication of the station's inadequate analog service. Accordingly, CTTC seeks reconsideration of these parameters and substitution with the parameters set forth in the attached engineering exhibit prepared by duTreil, Lundin & Rackley, Inc. ("duTreil"), CTTC's consulting engineers.

The relevant parameters for Appendix B as currently specified and as CTTC requests herein are:

	<u>Current</u>	<u>Requested</u>
Facility ID	63158	no change
State and City	Colorado, Sterling	no change
NTSC Channel	3	no change
DTV Channel	23	no change
ERP (kW)	599	1000
HAAT (m)	204	398
Antenna ID	none (non-directional)	no change
Latitude (DDMMSS)	403457	400201
Longitude (DDDMMSS)	1030156	1035617
Area (sq km)	21554	37058
Population (thousand)	73	2316
% interference received	0	no change

The proposed KUPN-DT transmission facilities would be located near Hoyt, Colorado, on a new tower to be built according to CTTC's specifications. CTTC has already obtained zoning approval and FAA clearance for the proposed tower and has registered it in the Commission's antenna structure database. No change to the Commission's Post-Transition DTV Table of Allotments is necessary; the facilities that CTTC proposes would broadcast on the assigned channel 23 and would provide a digital signal that encompasses Sterling, KUPN's community of license.

As discussed in detail in the attached engineering exhibit, using the normal OET-69 interference analysis, the proposed facilities would appear to create cumulative interference to one station in excess of ten percent: KRDO-DT, Colorado Springs, CO, a distance of 163.6 km from the proposed KUPN tower. As duTreil demonstrates, this analysis is misleading and inaccurate because many of the facilities that contribute to the cumulative interference are not in operation and never will be. Furthermore, the Commission has proposed a limit of 0.50 percent new interference for post-transition applications.⁶ The proposed KUPN facilities would cause only 0.23% interference to KRDO-DT, all of which would be experienced outside KRDO-DT's Colorado Springs-Pueblo DMA. Accordingly, under the Commission's proposed interference standard, the proposed facilities would not cause unacceptable interference.

As discussed by KUPN's general manager in the attached declaration, the station's operations under the parameters set forth in Appendix B to the Seventh Report and Order cannot support the expense of constructing a digital television station. Because the station has always been operated as a satellite, it has only the barest minimum of local origination facilities. KUPN has not constructed digital facilities to this point by virtue of construction permit extensions

⁶ Third Periodic Review, FCC 07-70 (Rel. May 18, 2007), ¶ 104.

granted by the Commission related to its former satellite status and to the well-known difficulties that KTVD and other Denver broadcasters have had in securing zoning approval for a new DTV tower.⁷ CTTC will essentially need to construct a new station from the ground up: offices, studio, transmitter, and supporting equipment.

As demonstrated by its history of applications seeking improvements to its signal, CTTC is prepared to invest the money and efforts necessary to construct and operate a viable digital television station to provide service to underserved viewers in Northeastern Colorado. To make this happen, however, CTTC must be able to justify the expense with a reasonable likelihood of attracting viewers, which will be necessary to acquire programming and advertisers. The parameters currently set forth in Appendix B would not permit that. CTTC, therefore, is proposing parameters that would increase the population served by the station from 73,000 to 2,316,000, while maintaining service to KUPN's community of license, and, with the reservations discussed above and in the attached technical exhibit, without causing interference to any other DTV station.

Commission action on this petition is urgently needed so that KUPN can provide television service to the Sterling area and bring a new television voice to the Denver DMA. CTTC must place equipment orders and contract for engineering crews to install equipment prior to the termination of analog broadcasting. Indeed, if CTTC is able to complete the construction

⁷ See File No. BEPCDT-20020304ABF (explaining that KUPN is a satellite of and dependent upon KDTV, which had been unable to construct digital facilities because of the failure to secure zoning approval for the "Lake Cedar Group" multi-user broadcast tower); DTV Build-out Requests for Extension of the Digital Television Construction Deadline, 18 FCC Rcd 22705, ¶ 23 (2003) (listing KUPN-DT as among the stations awaiting Commission action "in rulemakings to change their DTV channel"[sic]); Notification of intention to "flash cut" and surrender right to analog channel at the end of the digital transition (February 10, 2004); File No. BEPCDT-20050819ABV (Application for Extension of Time to Construct a Digital Television Broadcast Station on FCC Form 337, accepted for filing August 22, 2005, and still waiting for action by the Commission); "Notification of Loss of Satellite Status," July 6, 2006; and "Request for Waiver of the July 7, 2006 Maximization Deadline," July 7, 2006. The Commission has not responded to either of the July 2006 notifications.

of a viable digital station prior to the transition date, it intends to seek the Commission's consent to early termination of analog operations on VHF channel 3, releasing that spectrum for other uses.

Conclusion

CTTC is attempting the extraordinarily ambitious, monumental task of converting KUPN from a passive satellite to an independent, stand-alone television station. It is doing so at a time when the broadcast industry is undertaking the unprecedented transition to digital broadcasting and in a market where full-power DTV operations have been largely suppressed because of construction problems. CTTC is confident that it can transform KUPN into a viable broadcast outlet operating in the public interest. It can do this, however, only with the grant by the Commission of the technical relief sought in this petition.

Respectfully submitted,

CHANNEL 20 TELEVISION COMPANY

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October 10, 2007

Declaration of Greg Armstrong

I am President and General Manager of KUPN(TV), Channel 3, in Sterling, Colorado, a position I have held since September of 1999. Prior to June 27, 2006, I held this position for both KUPN and KTVD(TV), Denver. I have been involved in the television broadcasting business for 24 years. Channel 20 TV Company ("CTTC"), the licensee of KUPN, and Twenver Broadcast, Inc., formerly the licensee of KTVD, are commonly owned. CTTC purchased KUPN in September, 1999 and operated it as a satellite of KTVD until June 2006. At that time, when Twenver sold KTVD, we decided to retain KUPN and transform it into a stand-alone digital television station that would provide an independent media voice in the Denver DMA.

To make this transformation, CTTC will need to improve the KUPN broadcast signal. KUPN's analog transmitter and tower currently provide coverage only to the area immediately surrounding the station's city of license. Sterling is located in the northeast corner of Colorado and is surrounded on all sides by extensive agricultural land. Although Sterling is within the Denver DMA, ranked 18th in the nation by Nielsen, Channel 3's signal covers only a small portion of the market's 1,431,910 television households. The current predicted coverage contours of the station, at best, provide a Grade B signal to approximately 81,300 persons. Using the persons-per-household estimates prepared by the United States Census Bureau for the counties within KUPN's Grade B coverage area, the station's maximum reach is between 31,000

and 33,000 TV households. This is fewer than three percent of the households in the Denver DMA and the equivalent of Nielsen DMA number 204: somewhat larger than Presque Isle, Maine, but smaller than Zanesville, Ohio.

KUPN is not carried on any cable systems, nor is it retransmitted by EchoStar or DirecTV. It cannot be received over-the-air in Denver, the largest city by far within the DMA, or in any of Denver's suburbs. Since becoming a stand-alone station, KUPN has not scored any measurable viewership in any television rating report. KUPN broadcasts programming provided by America One; it is not affiliated with any of the nine largest national television networks.

I don't believe that KUPN has ever received any national advertising revenue on its own. Certainly, during the 8 years CTTC has owned the station and operated it as a satellite, it has never contributed to our revenues at all.

It would be extremely difficult, if not completely impossible to make KUPN an economically stable station with its current coverage area. Obtaining viable programming is challenging with its current signal, as a vast majority of syndicated programming, including Core children's programs, have some barter component. Since there have been no measurable ratings in the Denver DMA for KUPN, syndication companies have no incentive to clear programming on the station, as the barter within the shows would be of no value to them. I have had preliminary conversations with many large syndication companies, such as Disney, and they have confirmed this. Purchasing cash programming is equally daunting, as the lack of measureable viewing audience and the limited population of KUPN's current service area

prohibits program purchases at Denver DMA prices. Stations that are in DMAs equivalent to our coverage area, such as Presque Isle and Zanesville, have much of their programming needs filled by major national networks; they don't have much more powerful competitors who have locked in affiliations with all of the national networks. Although KUPN is unlikely to become a major network affiliate, an improved signal would at least provide us with the opportunity to acquire programming that is unavailable with our existing signal.

The digital conversion presents both the opportunity to improve the station's coverage area as well as an overwhelming challenge. With no revenue being generated by the station at this point, we could not justify the expense of the equipment and construction necessary to create a digital facility if the digital signal would serve only the same population as the analog does. Because the station has always been a satellite of another station, it has only the barest of minimum facilities for the origination of programming. The existing building and equipment are museum-quality and only the tower is useable. A digital conversion would require a complete transformation including building reconstruction, new transmitter, antenna, transmission line, studio and office equipment, servers, and all ancillary support equipment and cabling. The previous station I managed, KTVD, had infrastructure that was compatible with digital broadcasting because it was a competitive station in the Denver DMA and therefore justified capital investments. The financial realities of KUPN are historically the complete opposite so any digital conversion would in essence be an investment and build-out from the ground up. This is not to say that we are giving up on KUPN, but if we are to make the transition to DTV it makes little sense to invest in a project destined to fail. A tower move and power increase will provide the opportunity to make this station viable. We have continuously attempted to get the

Commission's approval to expand the signal and service area. We stand ready to make the commitment of effort and money to build a digital television facility, but cannot do it if we know, going in to the project, that the station will serve such a tiny population that it would never succeed financially.

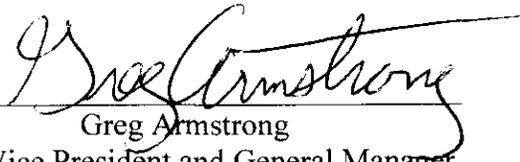
Working with Bob duTreil of du Treil, Lundin & Rackley, Inc., we have come up with the design of a digital broadcast facility that we believe will work. It requires moving the transmitter to a new site near the town of Hoyt, Colorado and building a new television tower there. Since we will need to rebuild anyway, from this position KUPN-DT could serve Sterling, its community of license, and also provide a signal to the communities to the Southwest and Northwest. The population served would increase from 73,000 to 2,316,000 persons. That would give us a real shot at becoming at least a small competitor in the Denver DMA. This would finally provide KUPN the opportunity to develop viewership and revenue to operate as a non-satellite station for the first time in its 43-year history.

We have located a site for the proposed tower. We have secured a special use permit from the Board of County Commissioners of Morgan County. We have cleared the site with the FAA and registered it with the FCC. What we need now is the consent of the FCC to construct the digital station according to this new plan.

The closer we get to the end of analog broadcasting in February, 2009, the more critical it becomes to secure FCC approval soon. We need to order the equipment, contract for the tower construction, build digital studios, and make sure we are able to put it all together in time to meet

the deadline. It was our intention, and remains so if we can get consent and complete construction soon enough, to seek the Commission's consent to terminate our analog broadcasts as soon as the digital facility is ready, thus permitting the valuable channel 3 spectrum to be put to other uses in the area.

We see this as a major opportunity to construct and operate a television station that could provide a real public service to the area, as opposed to the current operation which is practically invisible. We're ready to get started as soon as the Commission will permit it.


Greg Armstrong
Vice President and General Manager
KUPN(TV)
Channel 20 TV Company

October 9, 2007

TECHNICAL EXHIBIT
IN SUPPORT OF PETITION FOR
RECONSIDERATION
TELEVISION STATION KUPN-DT
STERLING, COLORADO

October 9, 2007

CHANNEL 23 1000 KW 398 M

TECHNICAL EXHIBIT
IN SUPPORT OF PETITION FOR RECONSIDERATION
TELEVISION STATION KUPN-DT
STERLING, COLORADO
CHANNEL 23 1000 KW 398 M

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TECHNICAL EXHIBIT
IN SUPPORT OF PETITION FOR RECONSIDERATION
TELEVISION STATION KUPN-DT
STERLING, COLORADO
CHANNEL 23 1000 KW 398 M

Technical Statement

This Technical Exhibit was prepared on behalf of digital television broadcast station KUPN-DT, Sterling, Colorado, in support of a Petition for Reconsideration of the Seventh Report and Order in MM Docket No. 87-268. KUPN-DT is paired with analog NTSC TV station KUPN(TV), Channel 3.

The requested allotment facility for KUPN-DT involves a transmitter site to be built near Hoyt, Colorado, which will allow for much greater digital service of the KUPN(TV)/-DT home DMA* of Denver. It is noted that KUPN(TV)/-DT was formerly a satellite station of KTVD(TV), Denver, but has since reverted to a stand-alone independent television operation.

Proposed Facilities

The proposed transmitting antenna will be an RF Technologies, model CS-2070-36 non-directional antenna, which will be side-mounted on the new tower structure to be constructed near Hoyt. The transmitter site elevation is 1480 m AMSL. The antenna center of radiation will be located at 349 m above ground level and 1829 m AMSL. The proposed KUPN-DT facility will operate with a nominal non-directional average ERP of 30.0 dBk (1000 kW) and antenna radiation center HAAT of 398 m.

* The Designated Market Area, or DMA, is defined by Nielsen Media Research, New York, NY, and is used by the television broadcasting industry and the FCC to define television market areas.

The proposed KUPN-DT facility meets the requirements of Section 73.622(f)(5) of the FCC Rules concerning the maximum permissible ERP for a proposed HAAT that exceeds the maximum normally permitted for a UHF station. The Denver DMA includes authorized station KBDI-DT, Broomfield, CO (Channel 38, FCC File No. BPEDT-20000428ACX). The area within the predicted noise-limited contour of the KBDI-DT facility is calculated to be 43,360 square kilometers. The area within the predicted noise-limited contour of the proposed KUPN-DT facility is 35,330 square kilometers. See Figure 2. Therefore, since the proposed geographic area is less than the largest authorized digital station in the market, the proposal complies with Section 73.622(f)(5) of the FCC Rules.

The proposed facility is located outside of the Canadian and Mexican border area. The closest FCC Monitoring station is located at Grand Island, Nebraska, at distance of 478 km at a bearing of 76°True. The closest Radio Astronomy site conducting research on Channel 37 is located at Dallas/Fort Worth, at distance of 1028 km at a bearing of 139°True. The Table Mountain Radio Quiet Zone is located at a distance of 110.2 km at a bearing of 275°True. The maximum permissible energy levels at the Table Mountain Radio Quiet Zone are met. There are no AM broadcast stations located within 3.2 km of the proposed transmitter site.

The proposed facility provides minimum 48 dBu, f(50,90), coverage of Sterling in compliance with Section 73.625(a)(1) of the FCC Rules. Figure 1 herein is a map depicting the predicted coverage contours of the proposed facility.

Tower Registration

The proposed antenna structure has received an FAA Determination of No Hazard to Air Navigation. The structure has been registered with the FCC and the antenna structure registration number is 1258802. See Figure 3 for sketch of the proposed antenna and supporting structure with elevation and geographic coordinate information.

Allocation Considerations

An allocation analysis was conducted for the proposed KUPN-DT facility based on the proposed post-transition DTV Table of Allotments that was released by the FCC on October 20, 2006 in the *Seventh Further Notice of Proposed Rule Making* in MB Docket No. 87-268. The analysis was conducted pursuant to the Longley-Rice interference analysis described in FCC OET Bulletin No. 69 ("OET-69") using 2000 Census population data. The results of the analysis are included herein at Appendix 2. As indicated therein, the KUPN-DT facility will meet the proposed 0.5% de minimis criteria with respect to all considered facilities.[†]

An interference analysis of the proposed facility was also conducted under the current allocation conditions based on FCC OET-69 procedures and using 1990 Census population data, as is the convention for analyses under current conditions. The proposed KUPN-DT facility meets the de minimis interference requirements of Section 73.623 of the FCC Rules with respect to other existing NTSC and DTV assignments and DTV allotments. The Longley-Rice interference analyses were conducted using the software maintained by du Treil, Lundin & Rackley, Inc. based on

[†] The 0.5% de minimis criteria are proposed for post-transition DTV interference analysis by the FCC in the Notice of Proposed Rule Making in MB Docket No. 07-91, Released: May 18, 2007.

the FCC published software routines.[‡] Stations selected for analysis were determined pursuant to the distance requirements outlined in the FCC DTV Processing Guidelines Public Notice. Accordingly, co-channel DTV and NTSC stations within 429 km and 407 km, respectively, were examined for potential interference; and first-adjacent DTV and NTSC stations within 229 km and 207 km, respectively, were examined for potential interference. Analog taboo-related NTSC stations within 142 km were examined for potential interference. The results of the interference analyses for the proposed KUPN-DT facility are summarized herein at Appendix 3.

It is noted that the KUPN-DT proposal fails the normal OET-69 interference analysis with respect to KRDO-DT, Colorado Springs, CO (Channel 24). This is because the OET-69 analysis calculates the KRDO-DT facility to be a "10% station," which would be subject to no greater than 0.049% additional interference. However, the proposed facility would cause 0.23% additional interference to the KRDO-DT facility.

Under present conditions the KRDO-DT facility should not be considered a 10% station because the facilities that result in the 10% designation are not in operation, and never will be. The following facilities are included in the KRDO-DT interference calculations that are no longer relevant:

KTNE-DT, Channel 24, Alliance, NE, DTVPLN-DTVP0576 (DTV Allotment)
(620 kW ERP, 469 m HAAT, 1733 m AMSL, 41-50-24 NL / 103-03-18 WL)

The KTNE-DT transitional DTV facility on Channel 24 is built and licensed at a site very near its allotment facility coordinates with a maximum ERP of 287 kW and an

[‡] The duTreil, Lundin & Rackley, Inc. DTV interference analysis program is a precise implementation of the procedures outlined by the FCC in the Sixth Report and Order; subsequent Memorandum Opinion and Order; and FCC OET Bulletin No. 69. A nominal grid size resolution of 2 km was employed.

antenna HAAT of 440 m (1705 m AMSL). See FCC File No. BLEDT-20040310ABN. KTNE-DT elected its analog Channel 13 for its post-transition digital facility and there are no pending applications to increase the KTNE-DT facility on Channel 24. Therefore, the KTNE-DT allotment facility is simply not relevant to the present allocation conditions for KRDO-DT. The OET-69 interference analysis ignored the KTNE-DT allotment record and replaced it with the KTNE-DT licensed digital facility record to properly assess the predicted interference to KRDO-DT.

KUPN(TV), Fort Morgan, CO, BPRM-20020620ABM

In 2002, KUPN(TV) filed a petition for rule making to change its city of license to Fort Morgan. A request for withdrawal of the proposal was filed by the proponent (KUPN) in November 2004 and this record should be stricken from the FCC engineering database. This record was ignored in the KUPN-DT interference analysis.

KDEN(TV), Longmont, CO, BPCT-20040524AOH (Construction Permit)

The FCC database has retained the record for the KDEN(TV) analog construction permit even though the permit expired on December 31, 2006. From the FCC filings for KDEN(TV), the analog construction permit was part of a consolidation plan to facilitate construction of the KDEN-DT facility. Inasmuch as the KDEN-DT facility on Channel 29 was built as of June 2006 and is now licensed (See BLCDT-20060630ACM); that the KDEN(TV) analog facility is licensed and operating (See BLCT-19970428KE); and that the KDEN(TV) construction permit has expired, the KDEN(TV) CP facility record should be removed from the FCC database. This record was ignored in the KUPN-DT interference analysis.

Based on the above assumptions, the KUPN-DT facility meets the current FCC de minimis interference criteria as demonstrated in Appendix 3.

With respect to Class A TV station protection, the proposal has been evaluated according to the requirements of Section 73.623(c)(5) of the FCC Rules. The analysis reveals no potentially affected Class A TV stations

Environmental Considerations

With respect to the potential for human exposure to radio frequency (RF) radiation, calculations prepared in accordance with FCC Bulletin OET-65 (Edition 97-01) indicate that the proposal will not result in human exposure to RF radiation at ground level in excess of FCC standards. Power density calculations were conducted at 2-m above ground based on the following conservative assumptions, with the following results:

Call Sign	Channel	Average ERP (kW)	Antenna Height (m)	Relative Field Factor	FCC Limit [§] (mW/cm ²)	Percentage of Limit
KUPN-DT	23	1000	349	0.20	0.351	3.2%

As indicated above, the exposure to RF radiation at 2-m above ground level will not exceed 3.2% of the FCC limit for general population / uncontrolled exposure on a very conservative calculation basis. Therefore, the proposal complies with the FCC limits for human exposure to RF radiation and it is categorically excluded from environmental processing with regard to RF exposure issues.

§ for general population/uncontrolled environments

The applicant, in coordination with any other users of the transmission facility, shall reduce power or cease operation as necessary to protect persons having access to the tower or antenna from radio frequency radiation in excess of the FCC guidelines.

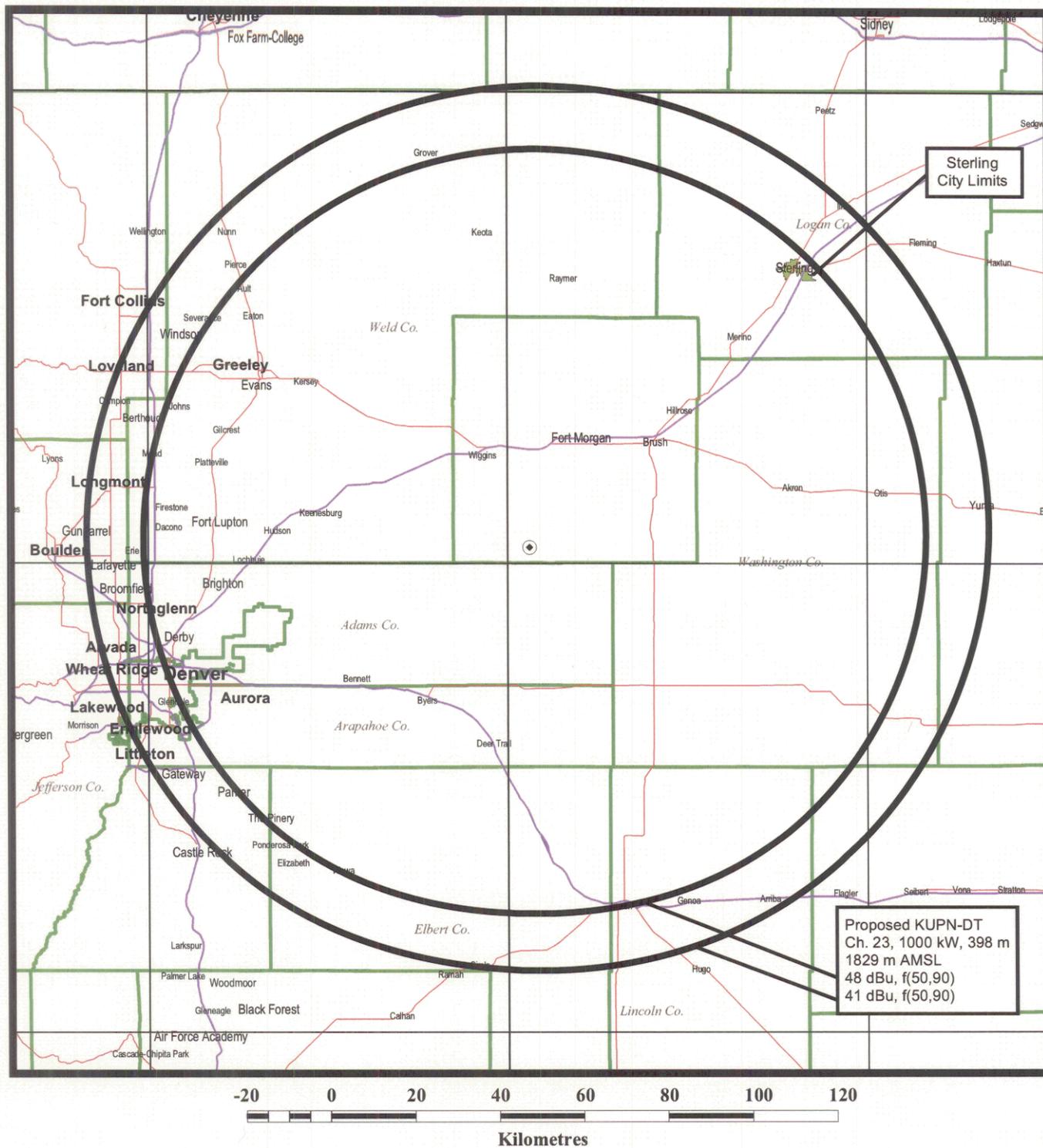


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October 9, 2007

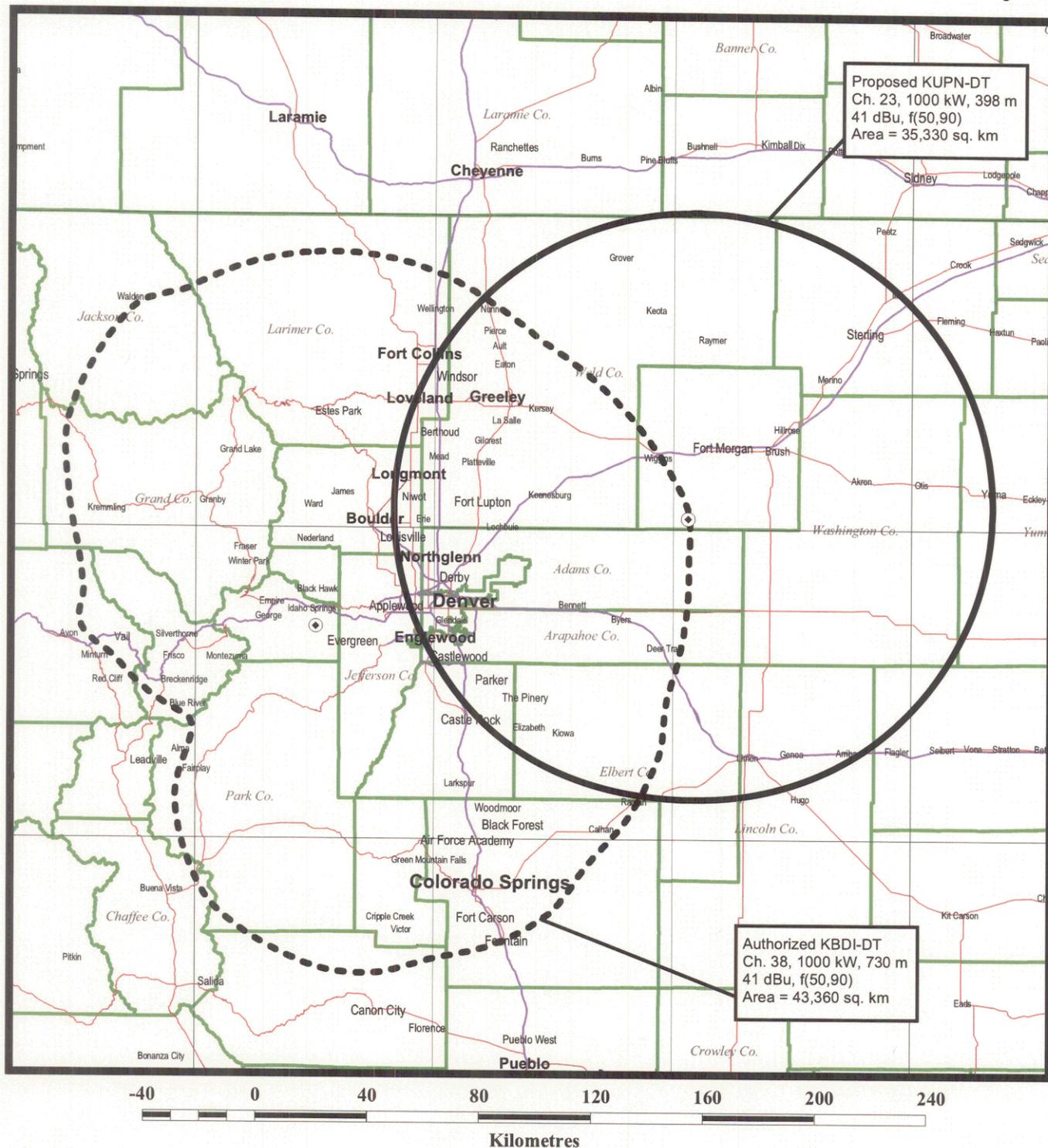
Figure 1



PREDICTED COVERAGE CONTOURS

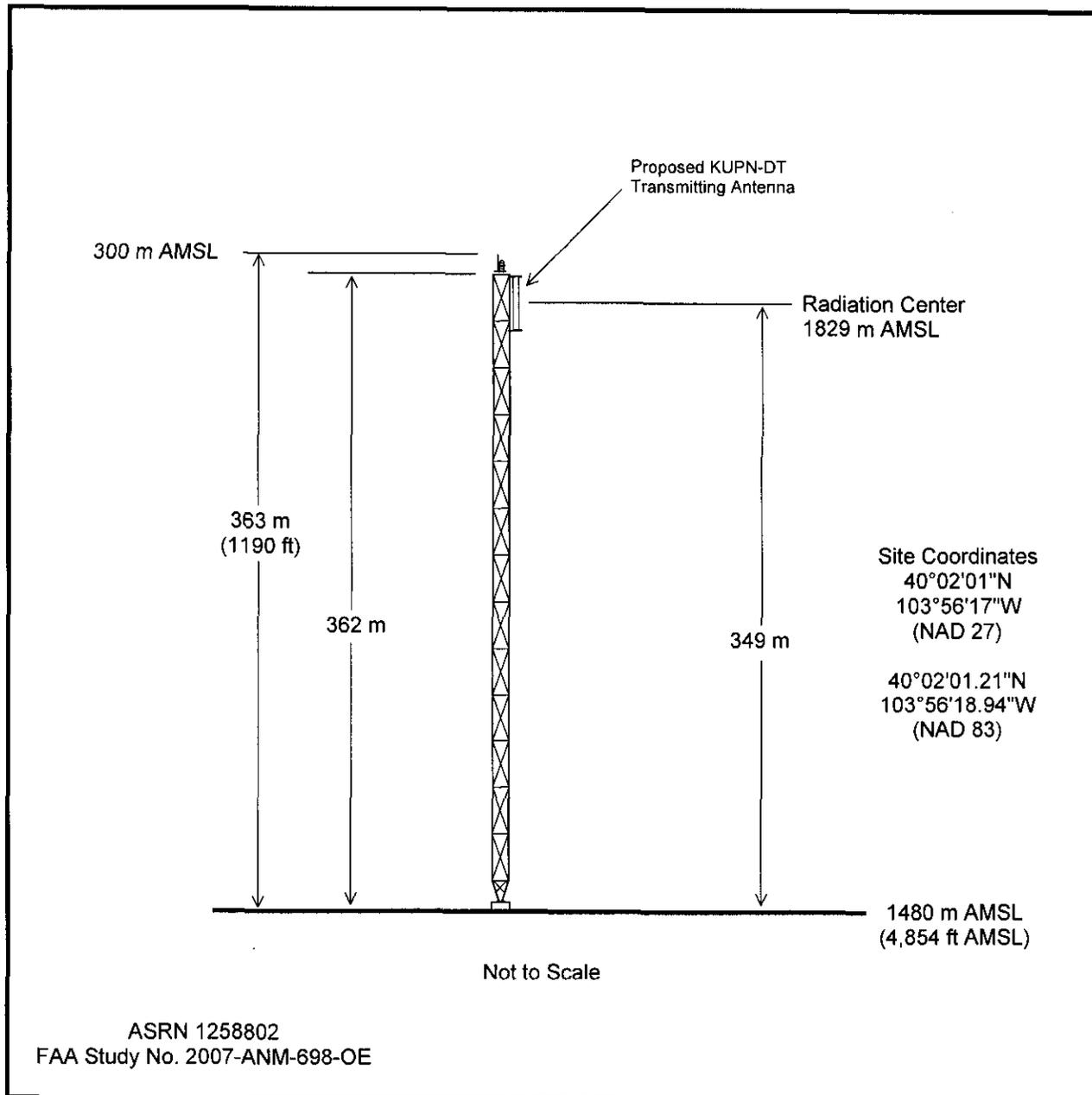
duTreil, Lundin & Rackley, Inc. Sarasota, Florida

Figure 2



PREDICTED COVERAGE COMPARISON

duTreil, Lundin & Rackley, Inc. Sarasota, Florida



PROPOSED ANTENNA AND SUPPORTING STRUCTURE

TELEVISION STATION KUPN-DT

STERLING, COLORADO

CHANNEL 23 1000 KW 398 M

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

TECHNICAL EXHIBIT
IN SUPPORT OF PETITION FOR RECONSIDERATION
TELEVISION STATION KUPN-DT
STERLING, COLORADO
CHANNEL 23 1000 KW 398 M

Transmitting Antenna Manufacturer's Pattern Data

(two pages follow)