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October 16, 2007

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**ELECTRONICALLY FILED  
(VIA ECFS)**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

**Re: MB Docket No. 03-15  
WWBT-DT, Richmond, VA (Facility ID No. 30833)  
Supplemental Notification and Request for Waiver of  
Replication/Maximization Interference Protection Deadline**

Dear Ms. Dortch:

On behalf of WWBT, Inc., the licensee of digital television (“DTV”) station WWBT-DT, Richmond, VA (Facility Id. No. 30833), this letter (1) supplements letters dated November 5, 2004,<sup>1</sup> June 21, 2005,<sup>2</sup> and September 14, 2006<sup>3</sup>

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<sup>1</sup> See Letter from John M. Burgett to Marlene H. Dortch, dated November 5, 2004. The licensee submitted this letter pursuant to the public notice regarding special circumstances surrounding FCC Form 381 certifications. See Public Notice, *Electronic Mailbox Established for FCC Form 381*, DA 04-3495 (rel. Nov. 4, 2004). The letter was submitted on behalf of Jefferson-Pilot Communications Company of Virginia. Due to the April 3, 2006 consummation of an FCC-approved transfer of control (see FCC File No. BTCCT-20051207ABK) and a contemporaneous corporate name change, the licensee’s name is now WWBT, Inc.

<sup>2</sup> See Letter from John M. Burgett to Marlene H. Dortch, dated June 21, 2005 and filed electronically in MB Docket No. 03-15. The letter was submitted on behalf of Jefferson-Pilot Communications Company of Virginia pursuant to the public notice concerning DTV stations subject to the Commission’s July 1, 2005 replication/maximization interference protection deadline. See Public Notice, *DTV Channel Election Issues – Compliance with the July 1, 2005 Replication/Maximization Interference Protection Deadline; Stations Seeking Extension of the Deadline*, DA 05-1636 (rel. June 15, 2005).

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concerning the buildout of WWBT-DT and (2) formally requests a waiver of the replication/maximization interference protection deadline for the station.

As explained in more detail in WWBT's prior filings, WWBT-DT's "use or lose" deadline is November 4, 2007 – the expiration of the station's most recent DTV construction permit.<sup>4</sup> WWBT-DT is assigned NTSC channel 12 and out-of-core DTV channel 54. In order to replicate its analog Grade B service, WWBT-DT was given a DTV allotment of 1000 kW at 241 meters height above average terrain ("HAAT"). The height reflects the HAAT of the station's licensed top-mounted analog antenna. Because the station cannot install two antennas in the same location on the tower, the WWBT-DT antenna is operating at an ERP of 1000 kW at an HAAT of 211 meters.<sup>5</sup> The Commission has granted a license to cover this operation, which provides DTV service to 96% of the population served by the station's 1997 allotment facility.<sup>6</sup>

WWBT-DT cannot serve 100% of the relevant population until it removes the station's NTSC antenna from the top of its tower and replaces it with its DTV antenna. This swap will require the expenditure of significant resources and would serve to disrupt and impair the station's current level of analog service to the public. Accordingly, WWBT-DT intends to operate with its currently licensed DTV facilities until the end of the transition, at which time it will commence digital operations on channel 12 utilizing its top-mounted antenna, providing service to 100% of its DTV allotment contour.

Earlier this year, the Commission granted "use or lose" waivers to several stations that are operating digitally with side-mounted antenna due to the impracticality of "swapping out" top-mounted analog antennas.<sup>7</sup> In so doing, the Commission

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<sup>3</sup> See Letter from John M. Burgett to Marlene H. Dortch, dated September 14, 2006 and filed electronically in MB Docket No. 03-15.

<sup>4</sup> See FCC File No. BPCDT-20041102AEK.

<sup>5</sup> See *id.*

<sup>6</sup> See FCC File No. BLCDT-20041206AAY.

<sup>7</sup> See Order, *In the Matter of DTV Build-Out, Requests for Waiver of July 1, 2005 and July 1, 2006 "Use or Lose" Deadlines, Requests for Waiver of the*



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allowed each of these stations to maintain its current level of service until the end of the transition, without loss of interference protection to the unserved population.<sup>8</sup> WWBT-DT should be afforded similar treatment. Accordingly, the licensee respectfully requests a waiver of the November 4, 2007 replication/maximization interference protection deadline, so that WWBT-DT may “carry over” the full scope of interference protection of its DTV allotment contour to its post-transition channel 12 operation.

If there are any questions concerning this request, please contact the undersigned.

Sincerely,

/s/ John M. Burgett

John M. Burgett

cc (by email): Shaun Maher

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*August 4, 2005 “Checklist” Deadline*, FCC 07-90, released May 18, 2007, at paras. 80-104.

<sup>8</sup> *See id.*