

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Advanced Television Systems)
And Their Impact upon the) MB Docket No. 87-268
Existing Television Broadcast Service)

To: The Commission

**OPPOSITION OF KTBC LICENSE, INC. TO PETITION FOR
RECONSIDERATION OF CORRIDOR TELEVISION LLP, LICENSEE OF
KCWX, FREDERICKSBURG, TEXAS OF THE SEVENTH REPORT AND
ORDER**

KTBC License, Inc., (“KTBC”), licensee of television station KTBC, Austin, Texas, Facility ID Number 35649, hereby files the following Opposition to the Petition for Reconsideration of Corridor Television LLP (“Corridor”), licensee of KCWX, Fredericksburg, Texas of the Seventh Report and Order and Eighth Further Notice of Proposed Rulemaking *In the Matter of Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, MB Docket No. 87-268, FCC 07-138, 42 CR 1, released August 6, 2007 (the “Seventh Report and Order”).

In its Petition for Reconsideration, Corridor maintains its efforts to persuade the Commission to change KCWX-DT’s tentative DTV channel designation (“TCD”) from channel 5 to channel 8. Corridor proposes to reduce KCWX-DT’s effective radiated power (“ERP”) from 40 kW to 15 kW. However, reducing KCWX-DT’s proposed ERP from 40 kW to 15 kW will reduce interference to KTBC-DT’s anticipated channel 7 operation only to slightly less than 0.5 percent, still significantly greater than the 0.1 percent allowable for changes to the DTV Table of Allotments. Thus, Corridor continues

to proffer no persuasive new reason why this standard should not pertain or should be waived.

The facts regarding KTBC's situation remain the same. KTBC's analog channel allocation is channel 7. KTBC's DTV allotment is channel 56. KTBC-DT currently is operating at its authorized maximized power level of 1000 kW effective radiated power ("ERP") pursuant to Construction Permit, File No. BMPCDT-20050808AGG, and its application for license is pending, File No. BLCDT-20060302ABP. As KTBC-DT's DTV allotment is out of core, KTBC-DT had little option but to elect to operate on channel 7, its current analog channel, after the digital transition. See File No. BFRECT - 20050210AEL.

Corridor repeatedly has sought to have KCWX-DT's TCD modified from channel 5 to channel 8. Commission staff was unable to grant Corridor's selection of channel 8 at the previously-proposed power of 40 kW, because this would have resulted in 0.55 percent predicted interference to KLRN-DT, channel 9, and 0.76 percent predicted interference to KTBC-DT, channel 7, in excess of the Commission's current 0.1 percent interference threshold. Having previously unsuccessfully sought waiver of the Commission's current 0.1 percent interference threshold, Corridor now proposes to reduce KCWX-DT's proposed ERP from 40 kW to 15 kW. However, because this proposed reduction in power still will not meet the 0.1 percent standard, Corridor's proposal still requires waiver of the standard. Corridor continues to maintain that the Commission should not use its current 0.1 percent interference threshold in evaluating its waiver request, but instead should use the 0.5 percent standard it has *proposed* for use *after* the digital transition in its Notice of Proposed Rulemaking in the *Third Periodic*

Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, MB Docket No.07-91, FCC 07-70, adopted April 25, 2007, released May 18, 2007 ("Third Periodic Review"). Although Corridor confidently argues that the Commission is bound to adopt the proposed 0.5 percent standard for use after the digital transition, in light of favorable comments in response to the Third Periodic Review, it nevertheless would violate the Administrative Procedure Act for the Commission to grant Corridor a waiver of the 0.1 percent current standard, in effect applying the proposed 0.5 percent standard prematurely.

Even more importantly, both KTBC-DT and KLRN-DT will cause significant interference to KCWX-DT's proposed channel 8 service population at 40 kW ERP, and Corridor's proposed reduction of KCWX-DT's ERP on channel 8 will further reduce the station's service to the public. KCWX-DT's operation at 15 kW on channel 8 would serve nearly 583,000 fewer people than the station's analog facility currently serves on channel 2. In contrast, operation of KCWX-DT on channel 5 would increase its service population by 762,092 over the station's current channel 2 service population.

For the foregoing reasons, KTBC opposes Corridor's request for reconsideration. Corridor's proposal to reduce KCWX-DT's power would not result in sufficiently changed circumstances to warrant any change in the Commission's response to Corridor's previous requests to modify KCWX-DT's TCE from 5 to 8. Even assuming the Commission could find a way to circumvent the considerable legal impediments to such a grant, public interest considerations do not weigh in Corridor's favor.

Respectfully submitted,


Molly Pauker
Vice President, Corporate & Legal Affairs
KTBC License, Inc.
5151 Wisconsin Avenue, NW
Washington, DC 20016
(202) 895-3088

October 16, 2007

CERTIFICATE OF SERVICE

I, Linda Kay Givens, hereby certify that on October 16, 2007, a copy of the foregoing Opposition of KTBC License, Inc. to Petition for Reconsideration of Corridor Television, LLP, Licensee of KCWX, Fredericksburg, Texas, was sent by First Class Mail, Postage Prepaid, to the following:

James A Stengel, Esq.
Thelen Reid Brown Raysman & Steiner LLP
701 8th St., NW
Washington, DC 20001
Counsel for Corridor Television, LLP

Richard A. Helmick, Esq.
Cohn and Marks LLP
1920 N. St., NW, Ste. 300
Washington, DC 20036-1622
Counsel for Alamo Public Telecommunications Council



Linda Kay Givens