

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

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

To: Office of the Secretary

PETITION FOR PARTIAL RECONSIDERATION

Independence Television Company (“Independence”), by its attorneys and pursuant to Section 1.429 of the Commission’s Rules,¹ licensee of WMYO(TV) and permittee of WMYO-DT (Salem, Indiana) (the “Station”), hereby respectfully requests that the Commission reconsider portions of the *Seventh Report and Order* in the above-captioned proceeding in which it adopted the Post-Transition DTV Table of Allotments.²

Independence petitions for change of certified facilities and requests revision of the Station’s allotment set forth in the *Seventh R&O*. Specifically, Independence requests that the certification and allotment be changed to ensure that WMYO-DT’s contemplated maximized operations are fully protected from interference from wireless communications services that will operate on the spectrum adjacent to the Station’s operation on Channel 51.

¹ 47 C.F.R. § 1.429 (2006).

² In the Matter of Advanced Television Systems and Their Impact Upon Existing Television Broadcast Service, *Seventh Report and Order*, MB Docket No. 87-268, FCC 07-138 (rel. Aug. 6, 2007) (“*Seventh R&O*”). The *Seventh R&O* was published in the Federal Register on September 26, 2007. See 72 Fed. Reg. 54720. Accordingly, this petition is timely filed. See 47 C.F.R. §§ 1.429(d), 1.4(b).

Pursuant to this Petition, the DTV Table of Allotments would be changed from:

Facility ID	State and City		NTSC	DTV					
			Ch	Ch	ERP kW	HAAT (m)	Antenna ID	Latitude (DDMMSS)	Longitude (DDMMSS)
34167	IN	SALEM	58	51	1000	390	43303	382100	855057

To:

Facility ID	State and City		NTSC	DTV					
			Ch	Ch	ERP kW	HAAT (m)	Antenna ID	Latitude (DDMMSS)	Longitude (DDMMSS)
34167	IN	SALEM	58	51	900	390	N/D	382100	855057

Independence is concerned that its post-transition allotment on Channel 51 may be subject to interference from the operation of new wireless communications devices on adjacent channel 52 spectrum, which is scheduled to be awarded by competitive bidding to new wireless operators and other users in January 2008.³ Under Section 27.60 of the Commission’s rules, a wireless service operator or other user of channel 52 spectrum is required to protect only “existing” DTV broadcast stations on Channel 51.⁴ “Existing” operations are defined as those identified in the Commission’s rules and in its final order in this proceeding.⁵

In the *Third Periodic DTV Review*, the Commission proposed that stations could not maximize beyond that currently allotted until some time after the close of the DTV transition.⁶ Independence wishes to implement maximized facilities for the Station. If the Commission were to prevent the Station from maximizing until some later date, in light of the new adjacent-

³ See Auction of 700 MHz Band Licenses Scheduled for January 24, 2008, *Public Notice*, DA 07-4171 (rel. Oct. 5, 2007).

⁴ 47 C.F.R. § 27.60.

⁵ *Id.*

⁶ Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion To Digital Television, MB Docket No. 07-91, *Notice of Proposed Rule Making*, FCC 07-70 (rel. May 18, 2007), ¶ 99 (“*Third Periodic DTV Review*”)

channel wireless operations, the Station could be denied an opportunity to maximize that would be available to stations on any other channels.

Independence accordingly hereby requests expansion of the Station's post-transition allotment to conform with the maximized facilities it wishes to operate after the conclusion of the transition. Because under existing rules wireless operators or other users of spectrum on channel 52 must provide full interference protection to all broadcasters with "existing" authorizations, as defined in the Commission's rules, on channel 51, including those that commence operation after the auction of the channel 52 spectrum,⁷ grant of this petition would ensure that the Station has the opportunity to implement maximized facilities as desired.

No broadcast station would be prejudiced by the proposed revision of the DTV Table. As shown in the attached Engineering Statement, the proposed modification would not result in increased interference to any other allotment. All persons currently receiving the Station's analog signal would receive the Station's DTV signal post-transition. Changing the Station's allotment to the parameters specified herein would permit the station to best serve its viewers now and at the conclusion of the DTV transition. Accordingly, Independence believes that consideration and grant of the instant petition is in the public interest.⁸

⁷ See Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, *Report & Order*, 19 FCC Rcd 18279, 18334, ¶124 (2004).

⁸ See 47 C.F.R. § 1.429(b)(3).

For these reasons, Independence petitions for change of the Station's certified facilities and revision of the allotment.

Respectfully submitted,
INDEPENDENCE BROADCASTING COMPANY

By _____/s/_____
Scott S. Patrick
Daniel Kirkpatrick

DOW LOHNES PLLC
1200 New Hampshire Avenue, NW
Suite 800
Washington, DC 20036
202-776-2000

Its Attorneys

Dated: October 26, 2007

EXHIBIT A

Engineering Statement

ENGINEERING STATEMENT
RE PETITION FOR RECONSIDERATION TO
AMEND REFERENCE POWER AND PATTERN
IN DTV TABLE OF ALLOTMENTS, SECTION 73.622(b)
WMYO-DT, SALEM, INDIANA
DTV CHANNEL 51 900 KW ERP 390 METERS

OCTOBER 2007

COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
RADIO AND TELEVISION
WASHINGTON, D.C.

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington)
) ss
District of Columbia)

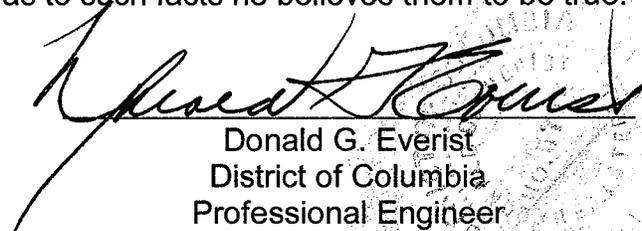
Donald G. Everist, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer, a Registered Professional Engineer in the District of Columbia, and is President, Secretary and Treasurer of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

That his qualifications are a matter of record in the Federal Communications Commission;

That the attached engineering report was prepared by him or under his supervision and direction and

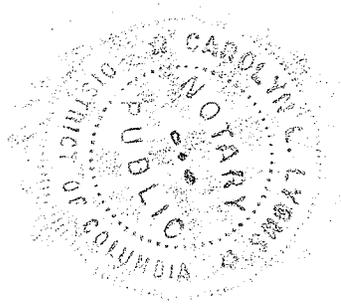
That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.


Donald G. Everist
District of Columbia
Professional Engineer
Registration No. 5714

Subscribed and sworn to before me this 10th day of October, 2007.


Notary Public

My Commission Expires: 2/28/2008



COHEN, DIPPELL AND EVERIST, P. C.

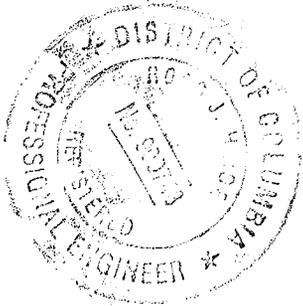
City of Washington)
) ss
District of Columbia)

Ross J. Heide, being duly sworn upon his oath, deposes and states that:

He is a graduate of the Massachusetts Institute of Technology in Operations Research and Management Science, a Registered Professional Engineer in the District of Columbia, and employed by Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

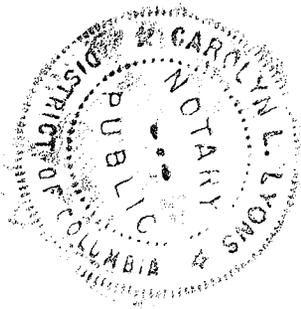
That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.



Ross J. Heide
Ross J. Heide
District of Columbia
Professional Engineer
Registration No. PE900748

Subscribed and sworn to before me this 10th day of October, 2007.



Carolyn L. Lyons
Notary Public

My Commission Expires: 2/28/2008

This engineering statement has been prepared in support of a petition for reconsideration on behalf of Independence Television Company, licensee of WMYO(TV), Salem, Indiana (“WMYO”). The purpose of the petition is to amend the reference power and pattern given for WMYO in the DTV Table of Allotments.¹ This is necessary because Section 27.60 of the Commission’s Rules as currently stated, will only protect “existing” Channel 51 facilities from wireless communication series (“WCS”) on Channel 52. The Channel 52 spectrum is scheduled to be auctioned in January 2008. Because of the freeze on DTV expansion, it is necessary to amend the allotment facilities before January 2008 in order for WMYO’s desired post-transition facilities to be protected from WCS interference.

WMYO is licensed to operate on NTSC television Channel 58 with a maximum visual effective radiated power of 1780 kW (max DA) and a HAAT of 346 meters (1135 feet). WMYO has been allotted DTV Channel 51 with facilities of 1000 kW (max DA) and HAAT of 390 meters in the DTV Table of Allotments. WMYO proposes to substitute DTV facilities of 900 kW (non-directional) at the allotted height.² This non-directional power causes no more interference than the allotted facilities to two co-channel post-transition stations that are the only stations predicted to receive more than 0.5% interference.

There are no AM stations located within 3.2 km of the existing WMYO tower site.

The geographic coordinates of the existing site are as follows:

North Latitude: 38° 21' 00"

West Longitude: 85° 50' 57"

¹“Seventh Report and Order and Eighth Further Notice of Proposed Rulemaking”, released August 6, 2007, Appendix B.

²It is proposed that WDRB-DT Channel 49 will also be diplexed into this antenna.

Equipment Data

Antenna: Dielectric, Model TFU-36GTH-O6, antenna with 0.75° electrical beam tilt. The vertical plane pattern required by Section 73.625(c) is herein included.

Transmission Line: 274 meters (900 ft) of EHT, 7-3/16", 75 ohm or equivalent

Power Data

Transmitter output	37.83 kW	15.78 dBk
Transmission line loss	-20.7%	-1.01 dB
Input power to the antenna	30 kW	14.77 dBk
Antenna power gain, Main Lobe	30.00	14.77 dB
Effective Radiated Power, Maximum	900 kW	29.54 dBk

Elevation Data

Vertical dimension for top-mounted Channel 51 antenna	16.4 meters 53.7 feet
Overall height above ground of the existing antenna structure (including beacon)	304.8 meters 1000 feet
Center of radiation of Channel 51 antenna above ground	295.0 meters 967.8 feet
Elevation of site above mean sea level	292.9 meters 961 feet
Center of radiation of Channel 51 antenna above mean sea level	588.0 meters 1929.1 feet
Overall height above mean sea level of proposed tower and antenna (including beacon)	597.7 meters 1961.0 feet
Antenna height above average terrain	390 meters (1279.5 feet)

Note: Slight height differences may result due to conversion to metric.

Allocation

An allocation study from the allotted site has been performed. DTV Channel 51 at this location is fully spaced to all other DTV post-transition allotments according to the separation distances of Section 73.623(d)(2). The site is outside the 400 km Canadian coordination zone.

Interference Analysis

A study of predicted interference caused by the proposed DTV service has been performed using a version of the Longley-Rice program as described in OET Bulletin No. 69 (Revised February 6, 2004) and the Public Notice, "Additional Application Processing Guidelines for Digital Television (DTV)" (August 1998). The FCC's FORTRAN-77 code was modified only to the extent necessary (primarily input/output handling) for the program to run on a Windows XP/Intel platform. Comparison of service/interference areas and populations indicates that this model closely matches the FCC's evaluation program. Best efforts have been made to use data and calculations identical to the FCC's program. Any slight differences are attributable to compiler, operating system and/or processor characteristics. The effect of any variance in calculated population values versus the FCC's program is minimized when differencing a given model's results, such as calculating new interference as total interference less baseline interference. Any variance effect is further reduced when using ratios of calculated population values such as measuring the incremental population affected as a percent of the total population served. The model employs the Longley-Rice propagation methodology and evaluates in grid cells of approximately 4 km² using 3-second terrain data sampled approximately every 0.1 km at one degree azimuth intervals with 1990 census centroids.

The FCC Public Notice Dated August 10, 1998, entitled "Additional Application Processing Guidelines for Digital Television", outlines the station selection criteria "culling distances" for considering potential interferes. There are three post-transition DTV stations to be considered

according to these criteria. As shown in Table II, the interference predicted to these stations from the proposed facilities are no more than that predicted from the current allotment.

Coverage

The average elevation data for 3.2 to 16.1 km along each radial are based upon 3-second terrain data. The F(50,90) DTV coverage contour has been computed from reference to the propagation data for Channels 14-69, as published by the FCC in Figure 10b and Figure 10c, Section 73.699 of the FCC Rules and Regulations.

Utilizing the formula in Section 73.625(b)(2) of the Rules for the effective heights, it is found that the depression angle, A_h , varies from 0.50 to 0.60 degrees. Since the relative vertical field is greater than 90% of the maximum at these depression angles, the maximum power was used in determining the distance to the DTV contour.

Table I includes the distances to the 41 dBu and 48 dBu F(50,90) coverage contours, the average elevation 3 to 16 km, and the antenna height above average terrain for the eight radials.

Population and Area Data

The population within the predicted DTV coverage contour was determined by employing the OET Bulletin 69 methodology and using the 2000 census data. The computer program established the 41 dBu service contour, ignoring terrain-blocked and interference cells, and determined the service population by using the centroids for the pertinent census blocks. A population of 1,767,900 people was determined in the service area of 31,336 sq. km.

Other Licensed and Broadcast Facilities

No adverse technical effect is anticipated by the proposed DTV operation to any other FCC licensed facility. If required, the applicant will install filters or take other measures as necessary to resolve the problem.

FCC Rule, Section 1.1307

The proposed 900 kW horizontal operation will utilize a Dielectric, TFU-36GTH-O6 slotted coaxial antenna or the equivalent with a center of radiation above ground of 295 meters. The proposed antenna will be top-mounted on the existing guyed, uniform, cross-section, steel lattice tower with an overall height of 304.8 meters AGL.

As previously indicated, there are no AM stations located within 3.2 km of the proposed tower site. According to the FCC data base, there are no FM stations located within 100 meters of the site. Other than WDRB-DT, which will share the same antenna, there are no other post-transition DTV stations within 500 meters of the site. The existing property for the existing tower is located at 5257 S. Skyline Drive in Floyds Knobs, Indiana. Access to the tower property is prevented by a chain link fence with a locked gate.

The proposed operation based upon the current OET Bulletin No. 65, Edition 97-01 dated August 1997 and Supplement A meets the provisions of the FCC radio frequency field ("RFF") guidelines, and thus, complies with Section 1.1307 of the FCC Rules. Provisions will be made to reduce power or to terminate the transmitter emissions, as appropriate, when it is necessary for authorized personnel to be on the tower.

For DTV operation, WMYO-DT and WDRB-DT propose to use a Dielectric, TFU-36GTH-O6 or equivalent antenna horizontally polarized (1,900 kW combined horizontal) with 0.75° electrical beam tilt with a radiation center of 295 meters above ground. The elevation pattern for this antenna shows a maximum relative field of 0.032 or less towards the ground (60° to 90° below the horizontal) in the vicinity of the tower. Using this relative field factor and the procedures prescribed in OET Bulletin 65 (Edition 97-01 and Supplement A), the maximum RFF resulting from the proposed combined operation is less than 1.2 $\mu\text{W}/\text{cm}^2$ two meters above ground. This is less than 0.3 percent of the 453 $\mu\text{W}/\text{cm}^2$ maximum human exposure to RFF recommended by the current FCC guidelines for the general population.

Authorized personnel and rigging contractors will be alerted to the potential zone of high radiation on the tower, and if necessary, the station will operate with reduced power or terminate the operation of the transmitter as appropriate when it is necessary for authorized personnel or contractors to perform work on the tower. Workers and the general public, therefore, will not be subjected to RFF levels in excess of the current FCC guidelines.

An environmental assessment (“EA”) is categorically excluded under Section 1.1306 of the FCC Rules and Regulations as the tower was constructed prior to the requirements specified in WT Docket No. 03-128 and the licensee indicates:

- (a)(1) The proposed facilities are not located in an officially designated wilderness area.
- (a)(2) The proposed facilities are not located in an officially designated wildlife preserve.
- (a)(3) The proposed facilities will not affect any listed threatened or endangered species or habitats.
- (a)(3)(ii) The proposed facilities will not jeopardize the continued existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification of proposed critical habitats.
- (a)(4) The proposed facilities located on a tower which was built prior to the adoption of WT Docket No. 03-128 and is grandfathered and has not affected any known districts, sites, buildings, structures, or objects significant in American history, architecture, archaeology, engineering, or culture.
- (a)(5) The proposed facilities are not located near any known Indian religious sites.
- (a)(6) The proposed facilities are not located in a flood plain.
- (a)(7) The installation of the DTV facilities on an existing tower at an existing site will not involve a significant change in surface features of the ground in the vicinity of the tower.
- (a)(8) The existing tower lighting will remain unchanged.

- (b) Workers and the general public will not be subjected to RFF levels in excess of the current FCC guidelines contained in OET Bulletin 65 (Edition 97-01) and Supplement A. Authorized personnel will be alerted to areas of the antennas where potential radiation levels are in excess of the FCC guidelines. A security fence with a locked gate precludes access to the tower site.

Cohen, Dippell and Everist, P.C.

TABLE I
COMPUTED COVERAGE DATA
FOR THE PROPOSED DTV OPERATION OF
WMYO-DT, SALEM, INDIANA
CHANNEL 51 900 KW ERP 390 METERS HAAT
OCTOBER 2007

<u>Radial Bearing</u> N° E, T	<u>Average *</u> <u>Elevation</u> <u>3.2 to 16.1 km</u> meters	<u>Effective</u> <u>Height</u> meters	<u>Depression</u> <u>Angle</u>	<u>ERP At</u> <u>Radio</u> <u>Horizon</u> kW	<u>Distance to Contour F(50,90)</u>	
					<u>48 dBu</u> <u>City Grade</u> km	<u>41 dBu</u> <u>Noise-Limited</u> km
0	231.6	356.4	0.523	900	88.3	101.5
45	153.2	434.8	0.578	900	93.3	108.2
90	142.2	445.8	0.585	900	94.1	109.1
135	129.7	458.3	0.593	900	94.9	110.2
180	139.8	448.2	0.586	900	94.2	109.3
225	260.5	327.5	0.501	900	85.4	98.8
270	226.2	361.8	0.527	900	88.8	101.9
315	254.7	333.3	0.506	900	86.0	99.4
Average	192.2	390.0				

*Based on data from FCC 3-second data base

DTV Channel 51 (692-698 MHz)
Average Elevation 3.2 to 16.1 km 192.2 meters AMSL
Center of Radiation 588 meters AMSL
Antenna Height Above Average Terrain 390.0 meters
Effective Radiated Power 900 kW (29.54 dBk) Max.

North Latitude: 38° 21' 00"

West Longitude: 85° 50' 57"

(NAD-27)

TABLE II
PREDICTED INTERFERENCE FROM PROPOSED VS. ALLOTTED
WMYO-DT, CHANNEL 51, SALEM, INDIANA
OCTOBER 2007

<u>Post-Transition Station</u>	<u>Interference from</u> <u>WMYO-DT Allotment</u>	<u>Interference from</u> <u>Proposed WMYO-DT</u> <u>900 kW Non-DA</u>	<u>Separation</u>
WDTN-DT Ch.50 Dayton, OH	0.0%	0.0%	205.1 km fully spaced
WAGV-DT Ch.51 Harlan, KY	0.59%	0.59%	278 km fully spaced
WKEF-DT Ch.51 Dayton, OH	1.37%	1.24%	205.8 km fully spaced
WPGD-DT Ch.51 Hendersonville, TN	1.49%	1.41%	245.9 km fully spaced

ABOVE GROUND

ABOVE MEAN SEA LEVEL

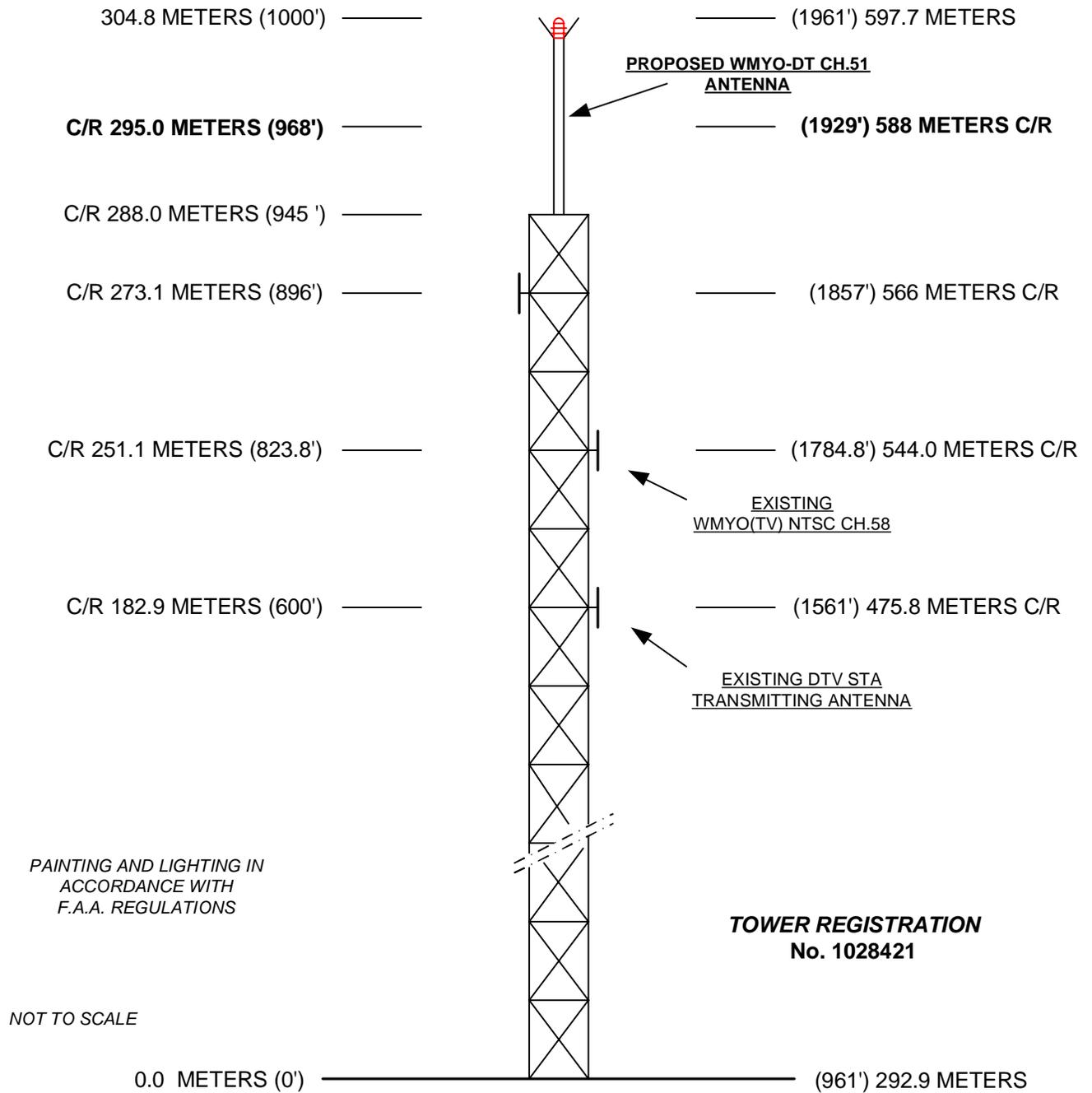


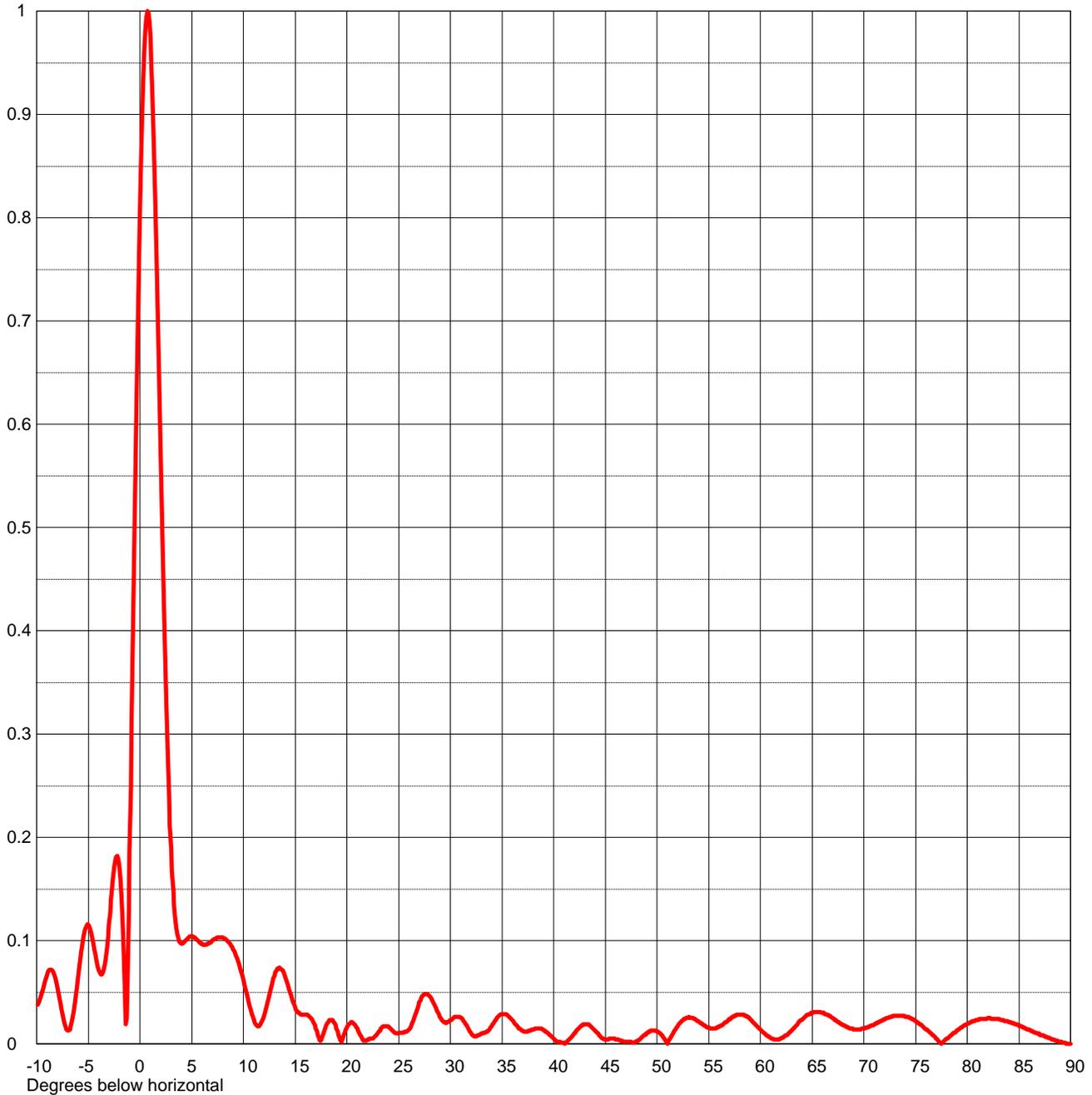
EXHIBIT E - 1
TOWER SKETCH
EXISTING TOWER
WMYO-DT, SALEM, INDIANA
OCTOBER 2007



Date **09 Oct 2007**
Call Letters **WMYO-DT** Channel **51**
Location **Salem, IN**
Customer
Antenna Type **TFU-36GTH O6**

ELEVATION PATTERN

RMS Gain at Main Lobe	30.0 (14.77 dB)	Beam Tilt	0.75 Degrees
RMS Gain at Horizontal	19.7 (12.94 dB)	Frequency	695.00 MHz
Calculated / Measured	Calculated	Drawing #	36G300075-90



Remarks:



Date **09 Oct 2007**
 Call Letters **WMYO-DT** Channel **51**
 Location **Salem, IN**
 Customer
 Antenna Type **TFU-36GTH O6**

TABULATION OF ELEVATION PATTERN

Elevation Pattern Drawing # **36G300075-90**

Angle	Field										
-10.0	0.036	2.4	0.384	10.6	0.036	30.5	0.026	51.0	0.000	71.5	0.021
-9.5	0.050	2.6	0.305	10.8	0.029	31.0	0.025	51.5	0.009	72.0	0.024
-9.0	0.067	2.8	0.239	11.0	0.023	31.5	0.019	52.0	0.017	72.5	0.026
-8.5	0.071	3.0	0.188	11.5	0.017	32.0	0.011	52.5	0.023	73.0	0.027
-8.0	0.055	3.2	0.149	12.0	0.027	32.5	0.007	53.0	0.025	73.5	0.027
-7.5	0.028	3.4	0.123	12.5	0.047	33.0	0.010	53.5	0.025	74.0	0.026
-7.0	0.013	3.6	0.107	13.0	0.066	33.5	0.012	54.0	0.022	74.5	0.025
-6.5	0.026	3.8	0.099	13.5	0.074	34.0	0.017	54.5	0.018	75.0	0.022
-6.0	0.064	4.0	0.097	14.0	0.066	34.5	0.025	55.0	0.016	75.5	0.019
-5.5	0.103	4.2	0.098	14.5	0.050	35.0	0.029	55.5	0.015	76.0	0.014
-5.0	0.115	4.4	0.100	15.0	0.035	35.5	0.028	56.0	0.017	76.5	0.010
-4.5	0.097	4.6	0.102	15.5	0.029	36.0	0.023	56.5	0.020	77.0	0.005
-4.0	0.071	4.8	0.104	16.0	0.028	36.5	0.017	57.0	0.024	77.5	0.000
-3.5	0.073	5.0	0.104	16.5	0.025	37.0	0.013	57.5	0.027	78.0	0.005
-3.0	0.115	5.2	0.103	17.0	0.015	37.5	0.012	58.0	0.028	78.5	0.009
-2.8	0.139	5.4	0.102	17.5	0.003	38.0	0.014	58.5	0.027	79.0	0.013
-2.6	0.161	5.6	0.100	18.0	0.018	38.5	0.015	59.0	0.024	79.5	0.016
-2.4	0.177	5.8	0.098	18.5	0.023	39.0	0.014	59.5	0.019	80.0	0.019
-2.2	0.182	6.0	0.097	19.0	0.015	39.5	0.010	60.0	0.014	80.5	0.022
-2.0	0.172	6.2	0.096	19.5	0.002	40.0	0.005	60.5	0.009	81.0	0.023
-1.8	0.143	6.4	0.096	20.0	0.016	40.5	0.002	61.0	0.005	81.5	0.024
-1.6	0.092	6.6	0.097	20.5	0.021	41.0	0.001	61.5	0.004	82.0	0.025
-1.4	0.019	6.8	0.098	21.0	0.015	41.5	0.004	62.0	0.005	82.5	0.024
-1.2	0.075	7.0	0.100	21.5	0.005	42.0	0.010	62.5	0.008	83.0	0.024
-1.0	0.187	7.2	0.101	22.0	0.004	42.5	0.016	63.0	0.013	83.5	0.023
-0.8	0.312	7.4	0.102	22.5	0.005	43.0	0.019	63.5	0.018	84.0	0.021
-0.6	0.444	7.6	0.103	23.0	0.011	43.5	0.018	64.0	0.023	84.5	0.020
-0.4	0.576	7.8	0.103	23.5	0.017	44.0	0.013	64.5	0.028	85.0	0.018
-0.2	0.700	8.0	0.103	24.0	0.017	44.5	0.007	65.0	0.030	85.5	0.016
0.0	0.810	8.2	0.102	24.5	0.012	45.0	0.004	65.5	0.031	86.0	0.014
0.2	0.898	8.4	0.100	25.0	0.010	45.5	0.005	66.0	0.030	86.5	0.011
0.4	0.961	8.6	0.098	25.5	0.011	46.0	0.004	66.5	0.028	87.0	0.009
0.6	0.994	8.8	0.095	26.0	0.014	46.5	0.003	67.0	0.025	87.5	0.007
0.8	0.998	9.0	0.092	26.5	0.025	47.0	0.002	67.5	0.021	88.0	0.005
1.0	0.974	9.2	0.088	27.0	0.040	47.5	0.002	68.0	0.018	88.5	0.003
1.2	0.924	9.4	0.083	27.5	0.048	48.0	0.002	68.5	0.016	89.0	0.002
1.4	0.852	9.6	0.077	28.0	0.046	48.5	0.006	69.0	0.014	89.5	0.001
1.6	0.766	9.8	0.069	28.5	0.037	49.0	0.010	69.5	0.014	90.0	0.000
1.8	0.670	10.0	0.062	29.0	0.026	49.5	0.013	70.0	0.015		
2.0	0.570	10.2	0.053	29.5	0.021	50.0	0.012	70.5	0.017		
2.2	0.474	10.4	0.045	30.0	0.023	50.5	0.008	71.0	0.019		

Remarks:

SECTION III-D - DTV Engineering

Complete Questions 1-5 of the Certification Checklist and provide all data and information for the proposed facility, as requested in Technical Specifications, Items 1-13.

Certification Checklist: A correct answer of "Yes" to all of the questions below will ensure an expeditious grant of a construction permit. However, if the proposed facility is located within the Canadian or Mexican borders, coordination of the proposal under the appropriate treaties may be required prior to grant of the application. An answer of "No" will require additional evaluation of the applicable information in this form before a construction permit can be granted.

1. The proposed DTV facility complies with 47 C.F.R. Section 73.622 in the following respects:

- (a) It will operate on the DTV channel for this station as established in 47 C.F.R. Section 73.622. Yes No
- (b) It will operate from a transmitting antenna located within 5.0 km (3.1 miles) of the DTV reference site for this station as established in 47 C.F.R. Section 73.622. Yes No
- (c) It will operate with an effective radiated power (ERP) and antenna height above average terrain (HAAT) that do not exceed the DTV reference ERP and HAAT for this station as established in 47 C.F.R. Section 73.622. Yes No

2. The proposed facility will not have a significant environmental impact, including exposure of workers or the general public to levels of RF radiation exceeding the applicable health and safety guidelines, and therefore will not come within 47 C.F.R. Section 1.1307. Yes No

Applicant must **submit the Exhibit** called for in Item 13.

- 3. Pursuant to 47 C.F.R. Section 73.625, the DTV coverage contour of the proposed facility will encompass the allotted principal community. Yes No
- 4. The requirements of 47 C.F.R. Section 73.1030 regarding notification to radio astronomy installations, radio receiving installations and FCC monitoring stations have either been satisfied or are not applicable. Yes No
- 5. The antenna structure to be used by this facility has been registered by the Commission and will not require reregistration to support the proposed antenna, OR the FAA has previously determined that the proposed structure will not adversely effect safety in air navigation and this structure qualifies for later registration under the Commission's phased registration plan, OR the proposed installation on this structure does not require notification to the FAA pursuant to 47 C.F.R. Section 17.7. Yes No

SECTION III-D DTV Engineering

TECHNICAL SPECIFICATIONS

Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.

TECH BOX

1. Channel Number: DTV _____ Analog TV, if any _____

2. Zone: I II III

3. Antenna Location Coordinates: (NAD 27)

_____ ° _____ ' _____ " N S Latitude
_____ ° _____ ' _____ " E W Longitude

4. Antenna Structure Registration Number: _____

Not applicable FAA Notification Filed with FAA

5. Antenna Location Site Elevation Above Mean Sea Level: _____ meters

6. Overall Tower Height Above Ground Level: _____ meters

7. Height of Radiation Center Above Ground Level: _____ meters

8. Height of Radiation Center Above Average Terrain: _____ meters

9. Maximum Effective Radiated Power (average power): _____ kW

10. Antenna Specifications:

a.	Manufacturer	Model
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b. Electrical Beam Tilt: _____ degrees Not Applicable

c. Mechanical Beam Tilt: _____ degrees toward azimuth _____ degrees True Not Applicable

Attach as an Exhibit all data specified in 47 C.F.R. Section 73.625(c).

Exhibit No.

d. Polarization: Horizontal Circular Elliptical

TECH BOX

e. Directional Antenna Relative Field Values: Not applicable (Nondirectional)
 Rotation: _____ ° No rotation

Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value
0		60		120		180		240		300	
10		70		130		190		250		310	
20		80		140		200		260		320	
30		90		150		210		270		330	
40		100		160		220		280		340	
50		110		170		230		290		350	
Additional Azimuths											

If a directional antenna is proposed, the requirements of 47 C.F.R. Section 73.625(c) must be satisfied. **Exhibit required.**

Exhibit No.

11. Does the proposed facility satisfy the interference protection provisions of 47 C.F.R. Section 73.623(a)? (Applicable only if **Certification Checklist** Items 1(a), (b), or (c) are answered "No.") Yes No

If "No," attach as an Exhibit justification therefor, including a summary of any related previously granted waivers.

Exhibit No.

12. If the proposed facility will not satisfy the coverage requirement of 47 C.F.R. Section 73.625, attach as an Exhibit justification therefor. (Applicable only if **Certification Checklist** Item 3 is answered "No.")

Exhibit No.

13. **Environmental Protection Act. Submit in an Exhibit** the following:

Exhibit No.

a. If **Certification Checklist** Item 2 is answered "Yes," a brief explanation of why an Environmental Assessment is not required. Also describe in the Exhibit the steps that will be taken to limit RF radiation exposure to the public and to persons authorized access to the tower site.

By checking "Yes" to **Certification Checklist** Item 2, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.

If **Certification Checklist** Item 2 is answered "No," an Environmental Assessment as required by 47 C.F.R. Section 1.1311.

PREPARER'S CERTIFICATION IN SECTION III MUST BE COMPLETED AND SIGNED.

WMYO-DT

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing	Typed or Printed Title of Person Signing
Signature	Date

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

SECTION III PREPARER'S CERTIFICATION

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name Ross J. Heide	Relationship to Applicant (e.g., Consulting Engineer) Consulting Engineer	
Signature <i>Ross J. Heide</i>	Date <i>10/10/2007</i>	
Mailing Address Cohen, Dippell and Everist, P.C., 1300 L Street, NW, Suite 1100		
City Washington	State or Country (if foreign address) DC	ZIP Code 20005
Telephone Number (include area code) (202) 898-0111	E-Mail Address (if available) cde@attglobal.net	

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