

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

In the Matter of

MB Docket No. 87-268

Advanced Television Systems and
their Impact Upon the Existing
Television Broadcast Service

Seventh Report and Order and
Eighth Further Notice of Proposed Rulemaking

To: The Commission

PETITION FOR RECONSIDERATION

Montecito Hawaii License, LLC (“Montecito”), holder of the Commission authorization for commercial television station KHAW-DT, Hilo, Hawaii (Facility ID 4146), by its attorneys and pursuant to Section 1.429 of the Commission’s Rules, hereby petitions the Commission to reconsider the Post-Transition DTV Table of Allotments adopted in the above-captioned Seventh Report and Order (the “Order”), and modify that Table of Allotments as provided in the Engineering Statement attached hereto as Exhibit A.¹ The purpose of such modification is to enable KHAW-DT to better replicate its analog coverage, as contemplated by facilities to be

¹ The Order was published in the Federal Register on September 26, 2007, and such publication constituted public notice of the Order. See Section 1.4(b) of the Commission’s Rules. This petition is therefore timely pursuant to Section 1.429(d) of the Commission’s Rules.

built under an existing construction permit as described in Exhibit A. Because KHAW-DT will “flash cut” to DTV operations, better replication of its analog signal by its digital signal will better enable KHAW-DT to provide seamless service to its analog viewers following transition to digital operations.

CONCLUSION

For the reasons set forth herein, Montecito urges the Commission to modify the Post Transition DTV Table of Allotments as requested in Exhibit A hereto.

Respectfully submitted,

MONTECITO HAWAII LICENSE, LLC

By:



David D. Burns
Latham and Watkins LLP
555 11th Street, N.W.
Washington, D.C. 20004
(202) 637-2200
Its Counsel

October 26, 2007

EXHIBIT A

Engineering Statement

ENGINEERING STATEMENT
PETITION FOR RECONSIDERATION OF
SEVENTH REPORT AND ORDER
MB DOCKET 87-268
ON BEHALF OF
MONTECITO HAWAII LICENSE, LLC
KHAW-DT, HILO, HAWAII
CHANNEL 11 3.35 KW MAX ERP 33 METERS HAAT

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)

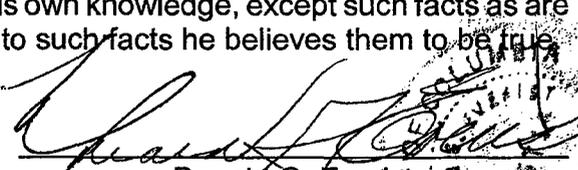
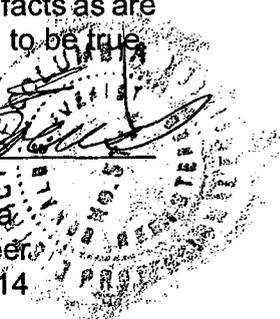
Donald G. Everist, being duly sworn upon his oath, deposes and states that:

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;

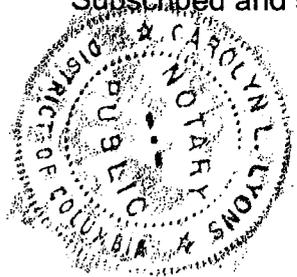
That his qualifications are a matter of record in the Federal Communications Commission;

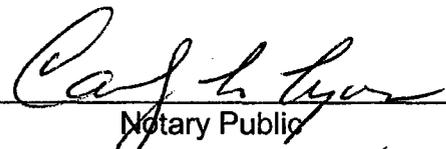
That the attached engineering report was prepared by him or under his supervision and direction and

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 24th day of October, 2007.




Notary Public

My Commission Expires: 2/28/2008

Introduction

This engineering statement has been prepared on behalf of Montecito Hawaii License, LLC. (“Montecito”), licensee of KHAW-TV, Channel 11, Hilo, Hawaii, in support of a Petition for Reconsideration of the *Seventh Report and Order* (“Seventh R & O”), *MB Docket No. 87-268*¹. The purpose of this engineering statement is to accompany KHAW’s request for a modification to its post-transition DTV allotment as listed in the Seventh R & O.

In the Commission’s Pre-Election Certification and Digital Channel Elections forms, Montecito requested operation for post-transition KHAW-DT based on its allotted replication facilities on channel 11. The KHAW 1997 DTV allotment was based on the geographic coordinates of the licensed KHAW-TV facilities (FCC File No. BLCT-19950620KE). However, Montecito has since requested and subsequently been granted modified facilities (FCC File No. BPCT-20041223ACH) for its NTSC operation. Therefore, Montecito hereby requests a modification of the Final DTV Table of Allotments and requests a post-transition DTV facility on channel 11 based on the replication of its authorized NTSC construction permit (FCC File No. BPCT-20041223ACH).

The KHAW-TV construction permit authorizes an NTSC operation on channel 11 with an effective radiated power (“ERP”) of 10 kW maximum directional and height above average terrain (“HAAT”) of -92 meters. KHAW-TV is a satellite station of KHON-TV, Honolulu, Hawaii and will “flash-cut” to digital operation on channel 11 for post-transition operation. In the Seventh R & O,

¹In the Matter of Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service, MB Docket No. 87-268, Adopted: August 1, 2006

KHAW-DT was assigned post-transition DTV facilities on channel 11 with 3.35 kW directional ERP at 33 meters HAAT.

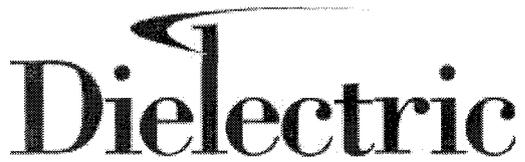
Requested Post-Transition DTV Allotment Parameters

Channel:	11	
Effective Radiated Power:	3.35 kW directional	(Figure 1 - Antenna Pattern)
Center of Radiation Above Mean Sea Level:	336 meters	
Antenna Height Above Average Terrain:	33 meters	
Latitude:	19° 43' 00" North	NAD-27
Longitude:	155° 08' 13" West	

Conclusion

A Longley-Rice interference analysis (Table I) has been performed using terrain data from the 30-second National Geophysical Data Center ("NGDC") terrain database and based on the KHAW-DT proposed parameters which demonstrates no predicted interference to any other post-transition DTV Allotment facility will occur. Due to the relocation of its NTSC facilities and the post-transition certification based on its allotted replication facilities on channel 11, Montecito hereby requests a modification to its post-transition DTV allotment based on replication of its authorized NTSC construction permit based on the above proposed coordinates.

FIGURE 1
PROPOSED KHAW-DT ALLOTMENT PATTERN

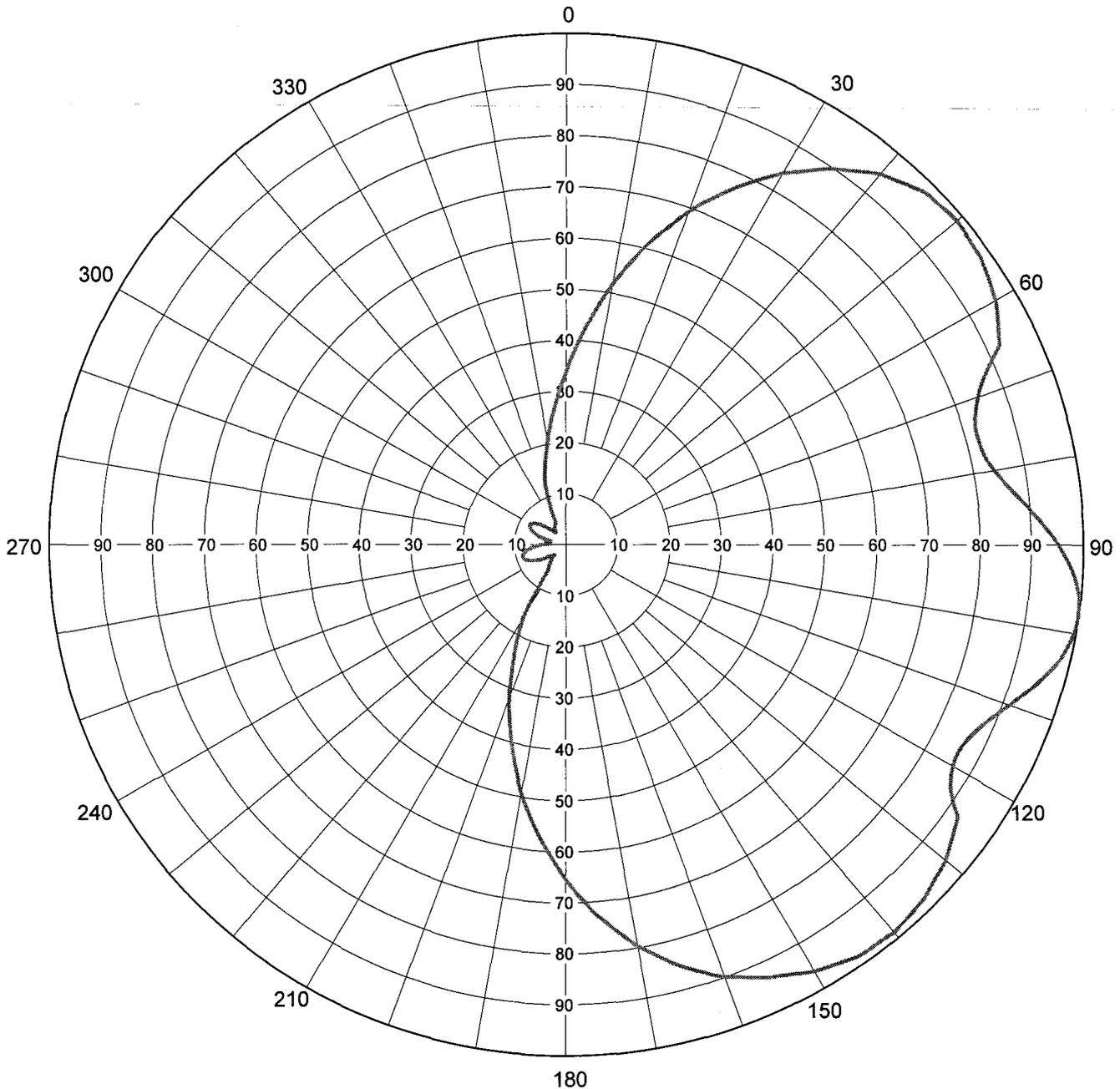


Proposal Number
Date **28 Jun 2004**
Call Letters **KHAW**
Location **Hilo, HI**
Customer
Antenna Type **THA-C2-2H/4H-1**

Revision
Channel **11**

AZIMUTH PATTERN

Gain **2.50 (3.98 dB)** Frequency **201 MHz**
Calculated / Measured **Calculated** Drawing # **C2-201**



Remarks:



Proposal Number
 Date **28 Jun 2004**
 Call Letters **KHAW** Channel **11**
 Location **Hilo, HI**
 Customer
 Antenna Type **THA-C2-2H/4H-1**

TABULATION OF AZIMUTH PATTERN

Azimuth Pattern Drawing # **C2-201**

Angle	Field														
0	0.338	45	0.978	90	0.952	135	0.978	180	0.654	225	0.040	270	0.048	315	0.040
1	0.355	46	0.980	91	0.962	136	0.979	181	0.638	226	0.038	271	0.042	316	0.038
2	0.373	47	0.981	92	0.972	137	0.981	182	0.623	227	0.036	272	0.036	317	0.036
3	0.390	48	0.983	93	0.980	138	0.983	183	0.607	228	0.034	273	0.030	318	0.034
4	0.408	49	0.985	94	0.987	139	0.985	184	0.591	229	0.032	274	0.034	319	0.032
5	0.426	50	0.986	95	0.993	140	0.987	185	0.574	230	0.030	275	0.038	320	0.040
6	0.444	51	0.985	96	0.997	141	0.986	186	0.558	231	0.032	276	0.033	321	0.031
7	0.462	52	0.984	97	0.999	142	0.985	187	0.542	232	0.034	277	0.038	322	0.033
8	0.480	53	0.982	98	1.000	143	0.985	188	0.526	233	0.036	278	0.036	323	0.035
9	0.499	54	0.981	99	0.999	144	0.984	189	0.509	234	0.038	279	0.040	324	0.036
10	0.517	55	0.980	100	0.997	145	0.983	190	0.493	235	0.039	280	0.036	325	0.038
11	0.535	56	0.975	101	0.993	146	0.978	191	0.475	236	0.043	281	0.030	326	0.039
12	0.553	57	0.971	102	0.988	147	0.974	192	0.457	237	0.047	282	0.036	327	0.040
13	0.571	58	0.967	103	0.982	148	0.970	193	0.439	238	0.050	283	0.031	328	0.041
14	0.590	59	0.963	104	0.974	149	0.966	194	0.421	239	0.054	284	0.036	329	0.042
15	0.608	60	0.960	105	0.965	150	0.963	195	0.403	240	0.057	285	0.041	330	0.043
16	0.625	61	0.953	106	0.955	151	0.956	196	0.386	241	0.061	286	0.046	331	0.044
17	0.642	62	0.946	107	0.945	152	0.950	197	0.369	242	0.064	287	0.050	332	0.045
18	0.659	63	0.939	108	0.934	153	0.944	198	0.352	243	0.067	288	0.055	333	0.046
19	0.676	64	0.932	109	0.923	154	0.939	199	0.335	244	0.070	289	0.059	334	0.046
20	0.693	65	0.925	110	0.912	155	0.934	200	0.318	245	0.073	290	0.063	335	0.047
21	0.708	66	0.905	111	0.902	156	0.926	201	0.302	246	0.076	291	0.066	336	0.059
22	0.724	67	0.886	112	0.892	157	0.919	202	0.286	247	0.078	292	0.069	337	0.073
23	0.739	68	0.871	113	0.883	158	0.912	203	0.269	248	0.080	293	0.071	338	0.087
24	0.755	69	0.857	114	0.876	159	0.905	204	0.253	249	0.083	294	0.074	339	0.102
25	0.770	70	0.847	115	0.870	160	0.899	205	0.237	250	0.084	295	0.075	340	0.116
26	0.784	71	0.838	116	0.864	161	0.890	206	0.222	251	0.085	296	0.077	341	0.125
27	0.797	72	0.832	117	0.861	162	0.880	207	0.208	252	0.086	297	0.078	342	0.133
28	0.811	73	0.827	118	0.859	163	0.871	208	0.194	253	0.086	298	0.079	343	0.141
29	0.824	74	0.824	119	0.860	164	0.862	209	0.180	254	0.086	299	0.080	344	0.149
30	0.838	75	0.824	120	0.863	165	0.853	210	0.166	255	0.086	300	0.080	345	0.157
31	0.850	76	0.823	121	0.868	166	0.842	211	0.144	256	0.086	301	0.079	346	0.167
32	0.862	77	0.825	122	0.877	167	0.830	212	0.123	257	0.086	302	0.078	347	0.177
33	0.874	78	0.829	123	0.890	168	0.819	213	0.102	258	0.085	303	0.077	348	0.186
34	0.886	79	0.834	124	0.906	169	0.807	214	0.081	259	0.084	304	0.075	349	0.196
35	0.898	80	0.841	125	0.925	170	0.796	215	0.060	260	0.082	305	0.073	350	0.206
36	0.907	81	0.849	126	0.931	171	0.783	216	0.058	261	0.080	306	0.071	351	0.218
37	0.917	82	0.859	127	0.938	172	0.769	217	0.056	262	0.078	307	0.068	352	0.230
38	0.926	83	0.870	128	0.944	173	0.756	218	0.054	263	0.075	308	0.065	353	0.242
39	0.936	84	0.881	129	0.951	174	0.743	219	0.052	264	0.072	309	0.062	354	0.254
40	0.946	85	0.893	130	0.958	175	0.729	220	0.050	265	0.068	310	0.059	355	0.267
41	0.952	86	0.905	131	0.962	176	0.714	221	0.048	266	0.065	311	0.055	356	0.281
42	0.959	87	0.917	132	0.965	177	0.700	222	0.046	267	0.061	312	0.052	357	0.295
43	0.965	88	0.929	133	0.969	178	0.684	223	0.044	268	0.057	313	0.048	358	0.309
44	0.971	89	0.941	134	0.974	179	0.669	224	0.042	269	0.052	314	0.044	359	0.323

Remarks:

COHEN, DIPPELL AND EVERIST, P.C.

TABLE I
LONLGEY-RICE ANALYSIS
FOR THE PROPOSED
POST-TRANSITION DTV ALLOTMENT
KHAW-DT, HILO, HI
CH11 3.35 kW MAX ERP 33 METERS HAAT
OCTOBER 2007

<u>Channel</u>	<u>Station</u>	<u>City/State</u>	<u>State</u>	<u>Distance</u> km	<u>Status</u>	<u>FCC File Number</u>	7th R&O <u>KHAW-DT</u> <u>Interference</u> %	Proposed <u>KHAW-DT</u> <u>Interference</u> %
10	KMEB	Wailuku	HI	165.2	7thRO	BMLET-154	0.0	0.0
11	KHET	Honolulu	HI	366.2	7thRO	BMPEDT-20041025ADD	0.0	0.0
12	KMAU	Wailuku	HI	166.0	7thRO	BMPCT-19960628KW	0.0	0.0