

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

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

To: The Secretary

**PETITION FOR CLARIFICATION
AND PARTIAL RECONSIDERATION**

Vermont ETV, Inc. (“VETV”) submits this Petition for Clarification and Partial Reconsideration of the Commission’s *Seventh Report and Order* in this proceeding.¹ VETV respectfully requests that the Commission amend the post-transition facilities specified for WETK-DT, Burlington, Vermont, WVTB-DT, St. Johnsbury, Vermont, and WVTA-DT, Windsor, Vermont (collectively, “the Stations”) in Appendix B to the *Seventh Report and Order* in order to conform the Appendix B values to the Stations’ authorized and/or constructed digital facilities. For the reasons set forth below, grant of this request would serve the public interest.

I. BACKGROUND

In the Third Periodic Review proceeding, the Commission included the Stations in its list of stations believed to be “ready, or very close to ready,” to complete the digital

¹ Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, *Seventh Report and Order and Eighth Further Notice of Proposed Rule Making*, MB Dkt No. 87-268, FCC 07-138 (rel. August 6, 2007) (“*Seventh Report and Order*”).

transition.² VETV filed comments in that proceeding to affirm that the Stations were at their final, post-transition facilities.³ As noted in those comments, however, the facilities for the Stations differ slightly from those specified in Appendix B. VETV has filed this Petition for the limited purpose of correcting the discrepancies previously noted in its Third Periodic Review comments and restated below and to clarify the desired facilities for WVTB-DT.

II. CLARIFICATION AND PARTIAL RECONSIDERATION IS WARRANTED IN THIS CASE.

Grant of this Petition would serve the public interest. The Petition satisfies the standards set forth in the *Seventh Report and Order*. Each of the Stations has been authorized and is operating within its allotted service contour set forth in Appendix B, which will not be expanded by the clerical adjustments proposed herein. *See* FCC File Nos. BLEDT-20061011ADW (WETK-DT); BLEDT-20060703ABN (WVTB-DT); and BLEDT-20070307AAW (WVTA-DT) (application pending to cover BMPEDT-20060306BRA).

VETV notes that while WVTB-DT's authorized effective radiated power ("ERP") is 75 kW, its actual ERP is 67 kW because of difficulties in installing the desired antenna on WVTB-DT's tower. VETV has filed applications for Special Temporary Authority ("STA") and for a construction permit to address this minor discrepancy, and VETV intends to operate at 67 kW ERP after the transition.⁴ Consequently, VETV seeks amendment of the ERP specified in Appendix B to 67 kW. In the alternative, and in particular if the request for STA and the

² *See* Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, *Notice of Proposed Rulemaking*, MB Dkt No. 07-91, 22 FCC Rcd 9478 (rel. May 18, 2007); *see id.* at Appendix D.

³ *See* Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, *Comments of Vermont ETV, Inc.*, MB Dkt No. 07-91 (filed Aug. 15, 2007). A copy of the comments is attached hereto as Attachment 1.

⁴ *See* FCC File Nos. BLDSTA-20071025AAL and BPEDT-20071026ABW.

construction permit are still pending at the time the Commission releases the *Seventh Report and Order on Reconsideration*, then VETV respectfully requests a 75 kW allotment.

Because, in each case, grant of the requested relief would reduce interference to other stations, it necessary would satisfy the 0.1% interference criterion.⁵ The minor adjustments delineated below merely will conform the Commission's records to the authorized and/or constructed facilities for each of the Stations.

Further, the adjustments are justified in light of VETV's Canadian coordination issues. As noted in VETV's Third Periodic Review comments, the Canadian coordination process for WETK-DT, WVTB-DT, and WVER-DT was lengthy and necessitated adjustments to their digital facilities, which are reflected in their licensed parameters. Corresponding adjustments to the Stations' post-transition digital facilities are therefore appropriate.

III. SPECIFIC REQUEST FOR RELIEF

VETV requests that the Commission clarify that the Stations have satisfied their buildout obligations with respect to post-transition digital operations. It also requests that the Commission amend the post-transition DTV Table of Allotments, originally published as Appendix B to the *Seventh Report and Order*, as follows:

WETK-DT, Facility ID 69944

	ERP (kW)	HAAT (m)
From	200	826
To	90	830

⁵ See *Seventh Report and Order* at ¶ 39. The engineering analysis attached as Attachment 2 confirms that these adjustments would reduce interference to other stations' post-transition allotments.

WVTB-DT, Facility ID 69940

	ERP (kW)	HAAT (m)
From	200	592
To	67 ⁶	590

WVTA-DT, Facility ID 69943

	ERP (kW)	HAAT (m)	Coordinates (degrees-minutes-seconds)
From	200	693	Latitude: 43-26-14 Longitude: 72-27-07
To	55.7 (rounded to 56)	692	Latitude: 43-26-15 Longitude: 72-27-08 ⁷

* * *

For the reasons discussed and in the manner described herein, VETV respectfully requests that the Commission clarify and partially reconsider the *Seventh Report and Order*.

⁶ See pending applications for STA and construction permit, FCC File Nos. BLDSTA-20071025AAL and BPEDT-20071026ABW (explaining that the constructed facilities have an ERP of 67 kW). In the alternative, VETV seeks an ERP of 75 kW, pursuant to FCC File No. BLEDT-20060703ABN.

⁷ See *Seventh Report and Order* at ¶ 35 (accepting coordinate corrections of three seconds or less, consistent with the policy that such corrections may be licensed without a construction permit).

Respectfully submitted,

VERMONT ETV, INC.

By: 

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Its Attorneys

October 26, 2007

Attachment 1

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Third Periodic Review of the) MB Docket No. 07-91
Commission’s Rules and Policies)
Affecting the Conversion to Digital Television)
)

To: The Commission

COMMENTS OF VERMONT ETV, INC.

Vermont ETV, Inc. (“VETV”) submits these comments in response to the Commission’s commencement of the Third Periodic Review of the transition to digital television.¹ In Appendix D to the *NPRM*, the Commission has published a list of stations that it believes to be “ready, or very close to ready,” to make the transition.² The Commission has asked licensees with stations on the list to respond as to whether the stations are in fact already prepared for the transition. VETV is the licensee of four educational television stations that the Commission identified on this list. (See Attachment 1.) It submits these comments in order to affirm that these stations are at their final, post-transition facilities. VETV notes that the final, authorized facilities of three of these stations, while falling within the service contours of the

¹ See *Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 07-91, Notice of Proposed Rulemaking, FCC 07-70 (rel. May 18, 2007) (“*NPRM*”).

² See *NPRM* at n.42 (explaining that the Appendix “includes those stations whose post-transition channel is the same as their pre-transition DTV channel and that have constructed their full, authorized DTV facilities”); see also *id.* at Appendix D.

allotments set forth in the recently released DTV Table of Allotments,³ differ slightly from the technical facilities specified in the DTV Table, as noted below.⁴

These facilities have been constructed in accordance with the facilities approved through Canadian coordination. VETV experienced an extended delay in obtaining Canadian coordination for the digital facilities of WETK-DT, WVTB-DT, and WVER-DT. Once Canadian coordination was obtained, VETV made the necessary adjustments to the facilities subject to these coordination issues. Because VETV's stations all carry the same programming, and in light of these adjustments, VETV was also able to reassess the coverage necessary for WVTA-DT.

In addition to the Canadian coordination issue, Vermont ETV has determined that, contrary to its initial estimates, high-powered facilities simply are not necessary in order to serve the viewers of Vermont. The coverage provided by WETK-DT, WVTB-DT, WVTA-DT, and WVER-DT at their existing facilities covers the state of Vermont, and therefore, VETV will not seek to further expand these facilities.⁵ Building WETK-DT, WVTB-TV and WVTA-DT out to 200 kW facilities would increase coverage only to out-of-state viewers; for in-state viewers, the only effect would be that some viewers would have the option of watching VETV programming on two channels, *e.g.*, on WETK-DT and WVTB-DT.

³ See *Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, Seventh Report and Order and Eighth Further Notice of Proposed Rulemaking, MB Dkt. No. 87-268, FCC 07-138 (“*DTV Table Order*”) (rel. Aug. 6, 2007).

⁴ The stations' licensed facilities are a matter of record in the Commission's CDBS database. The FCC approved these facilities in granting the digital licenses.

⁵ In addition to the main stations, VETV has obtained construction permits for two digital translator companion channels in order to provide service to rural viewers in southern Vermont. VETV has determined that these translators would have been necessary regardless of whether the main stations were maximized, due to terrain issues in that part of the state.

WETK-DT, Burlington, Vermont, facility ID 69944, is licensed pursuant to FCC File No. BLEDT-20061011ADW. Its effective radiated power (“ERP”) is 90 kW and its height above average terrain (“HAAT”) is 830 meters. These facilities are in conformance with those approved in Canadian coordination, which provide for an ERP of 90 kW and a HAAT of 844 meters.⁶ The Commission stated a slightly lower HAAT of 826 meters and a significantly higher ERP of 200 kW in the recently released DTV Table.

WVTB-DT, St. Johnsbury, Vermont, facility ID 69940, is licensed at 75 kW ERP at a HAAT of 590 meters (FCC File No. BLEDT-20060703ABN). These facilities also are in conformance with those approved in Canadian coordination, which provide for an ERP of 75 kW and a HAAT of 592.4 meters. In the DTV Table, the Commission has specified an ERP of 200 kW and a HAAT of 592 meters.

Finally, an application for license to cover (FCC File No. BLEDT-20070307AAW) has been filed to cover the facilities described in the construction permit BMPEDT-20060306BRA for WVTA-DT, Windsor, Vermont, facility ID 69943. The facilities have an ERP of 56 kW, at a HAAT of 692 meters, while the Commission has specified an ERP of 200 kW (and a HAAT of 693 meters) in the recently released DTV Table.⁷ When VETV filed this application, the staff asked VETV to provide an explanation for the reduction in power to 56.7 kW. On March 6, 2006, VETV filed such an amendment, setting forth these reasons and

⁶ See Attachment 2.

⁷ Also, while the longitude for the facilities approved and built pursuant to FCC File No. BMPEDT-20060306BRA is 72-27-08 (degrees-minutes-seconds), the longitude in the recently released DTV Table is 72-27-07, a difference of one second. Where a station’s licensed or permitted coordinates differ from the coordinates in the DTV Table by three seconds or less, the Commission has accepted corrections to the Table, consistent with the policy that such corrections may be licensed without a construction permit. See *DTV Table Order* at ¶ 35.

stating that VETV had initially planned to rely on high-power operations at WVTA-DT in order to address the risk of reduced coverage from WETK-DT and WVTB-DT due to the coordination issues.⁸ VETV explained that “[i]t obtained a maximized construction permit authorizing operation at 200 kW ERP” but that “[t]his approach was not ideal, given that it caused WVTA to deliver service not only to parts of Vermont, but also to certain sections of neighboring states, already served by other noncommercial stations.” When the international coordination issues for WETK-DT and WVTB-DT ultimately were resolved, with the power levels described above, VETV felt “confident that operation of WVTA at 55.7 kW ERP, rather than the higher power authorized in its initial construction permit, [would] more efficiently serve VETV’s coverage goals.”⁹

* * *

Accordingly, VETV submits these comments to affirm that the stations listed in Attachment A have completed their digital build-out and are prepared for post-transition operation, although there are certain differences between the facilities of three of these stations and the facilities in the recently released DTV Table of Allotments. These facilities serve virtually everybody in Vermont. The final facilities of WETK-DT and WVTB-DT reflect adjustments undertaken pursuant to Canadian coordination, with a corresponding adjustment to WVTA-DT’s service area in light of the coverage provided by the other stations.

⁸ See Exhibit 1 to Form FCC 340, File No. BMPEDT - 20060306BRA.

⁹ *Id.* VETV also certified “that it intends to operate at 55.7 kW ERP both during the transition to digital television and in the post-transition environment.”

Respectfully submitted,



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Counsel for Vermont ETV, Inc.

August 15, 2007

Attachment 1

VETV Television Stations Ready for Post-Transition Operations

WETK
WVER
WVTA
WVTB

Attachment 2

Canadian Coordination

300 Slater Street
Ottawa, Ontario
K1A 0C8

6128-5 (DBC-E)

Ms. Kathryn O'Brien
Chief, Strategic Analysis and Negotiations Division
International Bureau
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554, U.S.A.

Dear Ms. O'Brien:

This is in reply to your letter dated March 15, 2005 concerning the following Digital Television proposals:

1. City, State:	Montreal, QC
2. Transmitter Location:	45-30-20 North Latitude 73-35-32 West Longitude
3. Call Sign:	CBMT-DT
4. Channel Number and Class:	20 VU
5. Effective Radiated Power:	107 kW
6. Height Above Average Terrain:	300 meters
7. Radiation Center AMSL:	327.1 meters
8. Antenna System:	Non-Directional
Make and Model:	Kathrein K723147 (16 bays of 4 panels each)
Polarization:	Horizontal, 0.7° electrical beam tilt

1. City, State:	St. Johnsbury, VT
2. Transmitter Location:	44-34-16 North Latitude 71-53-39 West Longitude
3. Call Sign:	WVTB-DT
4. Channel Number:	18
5. Effective Radiated Power:	75 kW
6. Height Above Average Terrain:	592.4 meters
7. Radiation Center AMSL:	1023 meters
8. Antenna System:	Non-Directional
Make and Model:	Andrew ATW22H4-HTO-18S
Polarization:	Horizontal, 1° electrical beam tilt

...2

1. City, State: Burlington, VT
2. Transmitter Location: 44-31-32 North Latitude
72-48-51 West Longitude
3. Call Sign: WETK-DT
4. Channel Number: 32
5. Effective Radiated Power: 90 kW
6. Height Above Average Terrain: 844 meters
7. Radiation Center AMSL: 1266.4 meters
8. Antenna System: Non-Directional
 Make and Model: Dielectric TFU-14GTH-R 04
 Polarization: Horizontal, 1.0° electrical beam tilt

1. City, State: Burlington, VT
2. Transmitter Location: 44-31-32.6 North Latitude
72-48-55.1 West Longitude
3. Call Sign: WCAX-DT
4. Channel Number: 22 (with deletion of DTV 53)
5. Effective Radiated Power: 808 kW
6. Height Above Average Terrain: 845.2 meters
7. Radiation Center AMSL: 1269.4 meters
8. Antenna System: Non-Directional
 Make and Model: Dielectric TUP-O4/C4SP-10/40H-2-R
 Polarization: Horizontal, 1.25° electrical beam tilt

In reply, we wish to advise that the Department would have no objection to DTV operations at the above-noted parameters for WVTB-DT St. Johnsbury and WETK-DT Burlington, provided the Commission has no objection to the addition of DTV channel 20 VU in Montreal, nor to the following proposed change to the DTV Transition Allotment Plan:

<u>Location</u>	<u>Channel Number</u>	
	<u>Delete</u>	<u>Add</u>
Ste-Agathe-des-Monts, QC 46-02-06 NL ; 74-14-19 WL	32 (+) A NTSC	49 (Z) A NTSC

With regard to the WCAX-DT proposal, preliminary analyses indicate that it may be possible to use channel 22 at Mt. Mansfield with a rearrangement of channels on the Canadian side of the border, and the use of a lower ERP towards Canada at WCAX-DT. Negotiations between our respective administrations and the broadcasters involved on each side of the border are already under way, and it is hoped that a satisfactory solution will be reached in the near future.

Yours truly,

P. Vaccani
Director
Broadcast Applications Engineering

Attachment 2

ENGINEERING STATEMENT
RE PETITION FOR RECONSIDERATION
OF THE FINAL DTV TABLE OF ALLOTMENTS FOR
WETK-DT, BURLINGTON, VERMONT
WVTA-DT, WINDSOR, VERMONT
AND
WVTB-DT, ST. JOHNSBURY, VERMONT
ON BEHALF OF
VERMONT ETV, INC.
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)

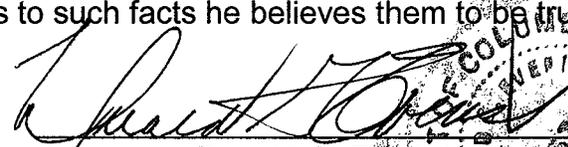
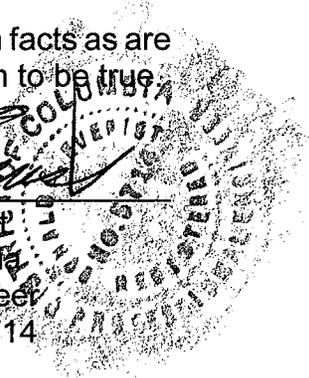
Donald G. Everist, being duly sworn upon his oath, deposes and states that:

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;

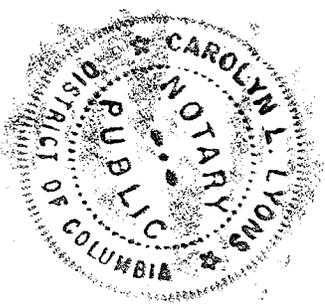
That his qualifications are a matter of record in the Federal Communications Commission;

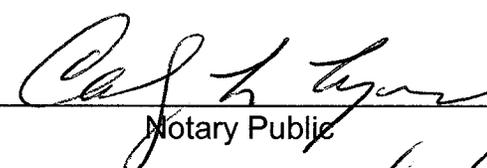
That the attached engineering report was prepared by him or under his supervision and direction and

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

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington)
) ss
District of Columbia)

Martin R. Doczkat being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer of the Pennsylvania State University, and is a staff engineer at Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

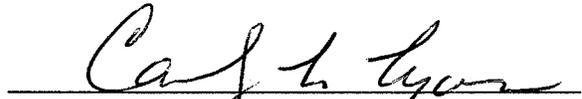
That the attached engineering report was prepared by him or under his supervision and direction and

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.



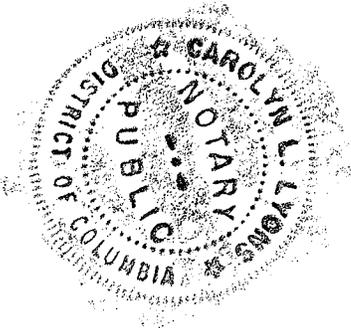
Martin R. Doczkat

Subscribed and sworn to before me this 24th day of October, 2007.



Notary Public

My Commission Expires: 2/28/2008



PETITION FOR RECONSIDERATION:
WETK-DT, BURLINGTON, WVTA-DT, WINDSOR, AND WVTB-DT, ST. JOHNSBURY, VERMONT PAGE 1

This engineering statement supports the petition for reconsideration filed on behalf of Vermont ETV, Inc. (“VETV”), in its Petition for Reconsideration to modify its facilities in the Final DTV Table of Allotments for its licensed DTV stations WETK-DT, Burlington, Vermont, WVTA-DT, Windsor, Vermont, and WVTB-DT, St. Johnsbury, Vermont.

WETK-DT, Burlington, Vermont

The proposed final DTV Table of Allotments released as Appendix B with the Seventh Report and Order and Eighth Further Notice of Proposed Rule Making¹ listed WETK-DT on Channel 32 with 200 kW non-directional ERP and 826 meters HAAT. The requested facility in this Petition for Reconsideration for WETK-DT on Channel 32 is with 90 kW non-directional ERP and 830 meters HAAT from the same site. A “post-transition” Longley-Rice analysis, the methodology of which is discussed in a separate section of this statement, predicts that this requested WETK-DT facility causes the interference listed in Table I to other facilities proposed in the final DTV Table of Allotments and the interference listed in Table II to other protected facilities in the First Round of Channel Elections. As can be seen in the second “results” column of both Table I and Table II, no potentially affected station in the final DTV Table of Allotments or in the First Round of Channel Elections experiences more than 0.1% interference above that predicted to be caused by the WETK-DT facility in the final DTV Table of Allotments due to the requested facility in this Petition for Reconsideration. In fact, stations predicted to receive interference from the WETK-DT facility in

¹“Seventh Report and Order and Eighth Further Notice of Proposed Rule Making In the Matter of Advanced Television Systems and their Impact Upon the Existing Television Broadcast Service”, MB Docket No. 87-268, Adopted August 1, 2007, Released August 6, 2007, Appendix B FCC 07-138.

PETITION FOR RECONSIDERATION:
WETK-DT, BURLINGTON, WVTA-DT, WINDSOR, AND WVTB-DT, ST. JOHNSBURY, VERMONT PAGE 2

the final DTV Table of Allotments are predicted to experience a reduced amount of interference due to the requested reduced ERP in this Petition for Reconsideration.

WVTA-DT, Windsor, Vermont

The proposed final DTV Table of Allotments released as Appendix B with the Seventh Report and Order and Eighth Further Notice of Proposed Rule Making listed WVTA-DT on Channel 24 with 200 kW non-directional ERP and 693 meters HAAT. The requested facility in this Petition for Reconsideration for WVTA-DT on Channel 24 is with 56 kW non-directional ERP and 692 meters HAAT from the construction permit site. A “post-transition” Longley-Rice analysis, the methodology of which is discussed in a separate section of this statement, predicts that this requested WVTA-DT facility causes the interference listed in Table III to other facilities proposed in the final DTV Table of Allotments and the interference listed in Table IV to other protected facilities in the First Round of Channel Elections. As can be seen in the second “results” column of both Table III and Table IV, no potentially affected station in the final DTV Table of Allotments or in the First Round of Channel Elections experiences more than 0.1% interference above that predicted to be caused by the WVTA-DT facility in the final DTV Table of Allotments due to the requested facility in this Petition for Reconsideration. In fact, stations predicted to receive interference from the WVTA-DT facility in the final DTV Table of Allotments are predicted to experience a reduced amount of interference due to the requested reduced ERP in this Petition for Reconsideration.

WVTB-DT, St. Johnsbury, Vermont

The proposed final DTV Table of Allotments released as Appendix B with the Seventh Report and Order and Eighth Further Notice of Proposed Rule Making listed WVTB-DT on Channel 18 with 200 kW non-directional ERP and 592 meters HAAT. The requested facility in this Petition for Reconsideration for WVTB-DT on Channel 18 is with 67 kW non-directional ERP and 590 meters HAAT from the same site. A “post-transition” Longley-Rice analysis, the methodology of which is discussed in a separate section of this statement, predicts that this requested WVTB-DT facility causes the interference listed in Table V to other facilities proposed in the final DTV Table of Allotments and the interference listed in Table VI to other protected facilities in the First Round of Channel Elections. As can be seen in the second “results” column of both Table V and Table VI, no potentially affected station in the final DTV Table of Allotments or in the First Round of Channel Elections experiences more than 0.1% interference above that predicted to be caused by the WVTB-DT facility in the final DTV Table of Allotments due to the requested facility in this Petition for Reconsideration. In fact, stations predicted to receive interference from the WVTB-DT facility in the final DTV Table of Allotments are predicted to experience a reduced amount of interference due to the requested reduced ERP in this Petition for Reconsideration.

Alternately, the licensed facility in this Petition for Reconsideration for WVTB-DT on Channel 18 is a facility with 75 kW non-directional ERP and 590 meters HAAT from the same site. A “post-transition” Longley-Rice analysis, the methodology of which is discussed in a separate section of this statement, predicts that this requested WVTB-DT facility causes the interference listed in Table VII to other facilities proposed in the final DTV Table of Allotments and the

PETITION FOR RECONSIDERATION:
WETK-DT, BURLINGTON, WVTA-DT, WINDSOR, AND WVTB-DT, ST. JOHNSBURY, VERMONT PAGE 4

interference listed in Table VIII to other protected facilities in the First Round of Channel Elections. As can be seen in the second “results” column of both Table VII and Table VIII, no potentially affected station in the final DTV Table of Allotments or in the First Round of Channel Elections experiences more than 0.1% interference above that predicted to be caused by the WVTB-DT facility in the final DTV Table of Allotments due to the licensed WVTB-DT facility. In fact, stations predicted to receive interference from the WVTB-DT facility in the final DTV Table of Allotments are predicted to experience a reduced amount of interference due to the licensed 75 kW ERP reduced from the 200 kW ERP in the final DTV Table of Allotments.

Longley-Rice Interference Methodology

As stated in the Second Periodic Review,² the Channel Election Process allows 0.1% interference to be caused in addition to “existing” interference. The “existing” interference in this analysis considers two separate possible interpretations which the FCC may assume “existing” interference to signify in this stage of the DTV transition. Therefore, these studies included two separate databases, the Seventh Report and Order and Eighth Further Notice of Proposed Rule Making (“7th R&O”) database and the database containing the Protected Stations from the First Round of Channel Elections (“Round One”). This second Round One database has been included in this analysis as a more comprehensive study to include earlier “channel election standards” as would have been used to determine the Tentative Channel Designation for all DTV facilities in the

²“Report and Order In the Matter of Second Periodic Review of the Commissions Rules and Policies Affecting the Conversion To Digital Television”, MB Docket No. 03-15, RM 9832, Adopted August 4, 2004, Released September 7, 2004.

PETITION FOR RECONSIDERATION:
WETK-DT, BURLINGTON, WVTA-DT, WINDSOR, AND WVTB-DT, ST. JOHNSBURY, VERMONT PAGE 5

FCC Public Notice dated June 23, 2005 (DA 05-1743). Based on informal guidance from the FCC Staff, the Round One database analysis will be a better indication of whether the FCC will approve the petition for reconsideration, as all 1,554 DTV stations participating in the First Round of DTV Channel Elections were treated in a similar manner at that time. The first 7th R&O database serves as a prediction to the interference scenario after the DTV transition, therefore no analog television facilities were considered and all digital television facilities were assumed to be operating in accordance with the final DTV Table of Allotments released as Appendix B with the Seventh Report and Order and Eighth Further Notice of Proposed Rule Making.

For each of the tables included in this engineering statement, the same procedure was used to develop the two separate Results columns. The first column in each table does not consider any potentially “preexisting” interference predicted to be caused by the DTV facility of interest, while the second column in each table considers this “preexisting” predicted interference from the DTV facility of interest. In other words, the interference predicted to be caused to other potentially affected stations due to the facility in the Final DTV Table of Allotments has been subtracted from the interference predicted to be caused by the Petition for Reconsideration facility in the second column, while the interference predicted to be caused by the Petition for Reconsideration facility remains unchanged in the first column.

An analysis of predicted interference caused by each VETV facility used the FCC’s FORTRAN-77 code which 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 1.0 km at one degree azimuth intervals with 2000 Census centroids.

Stations were selected according to the FCC Public Notice dated August 10, 1998 and entitled, "Additional Application Processing Guidelines for Digital Television", which outlines the station selection criteria "culling distances" for considering potential interference scenarios.

Conclusion

Based on Longley-Rice analyses, the reduced-ERP VETV facilities requested in this Petition for Reconsideration are predicted to cause less interference to potentially affected facilities in both 7th R&O and Round One databases than the VETV facilities in the final DTV Table of Allotments.

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TABLE I
PREDICTED LONGLEY-RICE INTERFERENCE ANALYSIS
VERSUS OTHER FACILITIES IN THE FINAL DTV TABLE OF ALLOTMENTS
FOR THE DESIRED PETITION FOR RECONSIDERATION OPERATION OF
WETK-DT, BURLINGTON, VERMONT
CHANNEL 32 90 KW ND ERP 830 METERS HAAT
FROM EXISTING WETK-DT SITE
OCTOBER 2007

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Dist(km)</u>	<u>Status</u>	<u>Results</u> <u>No Baseline</u>	<u>Results</u> <u>Above WETK-DT 7th R&O</u>
32	WBPX-DT	BOSTON MA	277.9	7th R&O	0.01%	-0.10%
32	WQPX-DT	SCRANTON PA	417.2	7th R&O	no interference	no interference
33	WPXG-DT	CONCORD NH	191.2	7th R&O	no interference	no interference

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TABLE II
PREDICTED LONGLEY-RICE INTERFERENCE ANALYSIS
VERSUS OTHER FACILITIES IN THE PROTECTED ROUND ONE CHANNEL ELECTION DATABASE
FOR THE DESIRED PETITION FOR RECONSIDERATION OPERATION OF
WETK-DT, BURLINGTON, VERMONT
CHANNEL 32 90 KW ND ERP 830 METERS HAAT
FROM EXISTING WETK-DT SITE
OCTOBER 2007

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Dist(km)</u>	<u>Status</u>	<u>FCC File No.</u>	<u>Results</u> <u>No Baseline</u>	<u>Results</u> <u>Above WETK-DT 7th R&O</u>
28	WVER	RUTLAND VT	99.1	TVDB	BLET-19930715KJ	no interference	no interference
31	WNNE	HARTFORD VT	123.6	TVDB	BLCT-20040212ACU	0.20%	-0.04%
32	WEDH	HARTFORD CT	313.7	PRTCT	BPEDT-19990113KG	0.01%	-0.01%
32	WPX	BOSTON MA	277.9	PRTCT	BPCDT-19991101AFA	0.00%	0.00%
32	WQPX	SCRANTON PA	417.2	PRTCT	BMPCDT-20010510AAE	no interference	no interference
33	WPXG	CONCORD NH	191.2	PRTCT	BLCDT-20031014AEP	no interference	no interference
33	WETK	BURLINGTON VT	0.1	TVDB	BLET-19910613KE	0.14%	-0.13%
40	950809KF	SARANAC LAKE NY	138.2	TVDB	BPCT-19950809KF	no interference	no interference

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TABLE III
PREDICTED LONGLEY-RICE INTERFERENCE ANALYSIS
VERSUS OTHER FACILITIES IN THE FINAL DTV TABLE OF ALLOTMENTS
FOR THE DESIRED PETITION FOR RECONSIDERATION OPERATION OF
WVTA-DT, WINDSOR, VERMONT
CHANNEL 24 56 KW ND ERP 692 METERS HAAT
FROM EXISTING WVTA-DT CONSTRUCTION PERMIT SITE
OCTOBER 2007

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Dist(km)</u>	<u>Status</u>	<u>Results</u> <u>No Baseline</u>	<u>Results</u> <u>Above WVTA-DT 7th R&O</u>
23	WPFO-DT	WATERVILLE ME	211.5	7th R&O	no interference	no interference
23	WNPI-DT	NORWOOD NY	225.3	7th R&O	no interference	no interference
24	WNYE-DT	NEW YORK NY	323.8	7th R&O	0.00%	-0.01%
24	WSTM-DT	SYRACUSE NY	302.1	7th R&O	0.07%	-0.07%
25	WNNE-DT	HARTFORD VT	0	7th R&O	no interference	-0.20%

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TABLE IV
PREDICTED LONGLEY-RICE INTERFERENCE ANALYSIS
VERSUS OTHER FACILITIES IN THE PROTECTED ROUND ONE CHANNEL ELECTION DATABASE
FOR THE DESIRED PETITION FOR RECONSIDERATION OPERATION OF
WVTA-DT, WINDSOR, VERMONT
CHANNEL 24 56 KW ND ERP 692 METERS HAAT
FROM EXISTING WVTA-DT CONSTRUCTION PERMIT SITE
OCTOBER 2007

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Dist(km)</u>	<u>Status</u>	<u>FCC File No.</u>	<u>Results</u> <u>No Baseline</u>	<u>Results</u> <u>Above WVTA-DT 7th R&O</u>
20	WVTB	ST. JOHNSBURY VT	133.7	TVDB	BLET-19910816KE	no interference	no interference
21	WPXG	CONCORD NH	95.8	TVDB	BLCT-20030926AOY	no interference	no interference
22	WVNY	BURLINGTON VT	124.7	TVDB	BLCT-19810108KE	no interference	no interference
23	WUTF-TV	MARLBOROUGH MA	140.7	PRTCT	BMPCDT-19981008KE	0.00%	0.00%
23	WPFO	WATERVILLE ME	211.5	PRTCT	BLCT-19990903AAH	no interference	no interference
23	WXXA-TV	ALBANY NY	156.2	TVDB	BLCT-20020314ABC	no interference	no interference
23	WNPI-TV	NORWOOD NY	225.4	PRTCT	BDTV-442930	no interference	no interference
24	WEDH	HARTFORD CT	187.1	TVDB	BLET-341	0.45%	-2.03%
24	WNYE-TV	NEW YORK NY	324.5	PRTCT	BPEDT-19991110AAQ	0.00%	0.00%
24	WCNY-TV	SYRACUSE NY	302.1	TVDB	BLET-20030411ABZ	no interference	-0.02%
25	WFXT	BOSTON MA	161.2	TVDB	BMLCT-19911001LV	no interference	no interference
25	WFXT	BOSTON MA	161.2	PRTCT	BPCDT-19990526KH	no interference	no interference
25	WNNE	HARTFORD VT	0	PRTCT	BPCDT-19991101AEW	no interference	-0.20%
26	WMEA-TV	BIDDEFORD ME	133	TVDB	BPET-20020814ABO	no interference	no interference
27	WUNI	WORCESTER MA	136.3	TVDB	BLCT-19991214ABC	no interference	no interference
28	WVER	RUTLAND VT	58.2	TVDB	BLET-19930715KJ	no interference	no interference
31	WNNE	HARTFORD VT	0.8	TVDB	BLCT-20040212ACU	no interference	no interference

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TABLE V
PREDICTED LONGLEY-RICE INTERFERENCE ANALYSIS
VERSUS OTHER FACILITIES IN THE FINAL DTV TABLE OF ALLOTMENTS
FOR THE DESIRED PETITION FOR RECONSIDERATION OPERATION OF
WVTB-DT, ST. JOHNSBURY, VERMONT
CHANNEL 18 67 KW ND ERP 590 METERS HAAT
FROM EXISTING WVTB-DT SITE
OCTOBER 2007

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Dist(km)</u>	<u>Status</u>	<u>Results</u> <u>No Baseline</u>	<u>Results</u> <u>Above WVTB-DT 7th R&O</u>
18	WMFP-DT	LAWRENCE MA	257.3	7th R&O	0.08%	-0.05%
19	WABI-DT	BANGOR ME	223.1	7th R&O	no interference	no interference

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TABLE VI
PREDICTED LONGLEY-RICE INTERFERENCE ANALYSIS
VERSUS OTHER FACILITIES IN THE PROTECTED ROUND ONE CHANNEL ELECTION DATABASE
FOR THE DESIRED PETITION FOR RECONSIDERATION OPERATION OF
WVTB-DT, ST. JOHNSBURY, VERMONT
CHANNEL 18 67 KW ND ERP 590 METERS HAAT
FROM EXISTING WVTB-DT SITE
OCTOBER 2007

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Dist(km)</u>	<u>Status</u>	<u>FCC File No.</u>	<u>Results</u> <u>No Baseline</u>	<u>Results</u> <u>Above WVTB-DT 7th R&O</u>
17	WCBB	AUGUSTA ME	156.7	PRTCT	BDTV-440916	no interference	no interference
18	WUVN	HARTFORD CT	319.4	TVDB	BLCT-19870304KI	0.00%	-0.06%
18	WMFP	LAWRENCE MA	257.3	PRTCT	BPCDT-19991101AFC	0.01%	-0.01%
18	WNPI-TV	NORWOOD NY	234.9	TVDB	BPET-20030109AAJ	0.08%	-0.66%
19	WABI-TV	BANGOR ME	223.1	PRTCT	BDTV-444213	no interference	no interference
20	WVTB	ST. JOHNSBURY VT	0	TVDB	BLET-19910816KE	no interference	no interference
22	WVNY	BURLINGTON VT	73.2	TVDB	BLCT-19810108KE	0.00%	0.00%

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TABLE VII
PREDICTED LONGLEY-RICE INTERFERENCE ANALYSIS
VERSUS OTHER FACILITIES IN THE FINAL DTV TABLE OF ALLOTMENTS
FOR THE DESIRED PETITION FOR RECONSIDERATION OPERATION OF
WVTB-DT, ST. JOHNSBURY, VERMONT
CHANNEL 18 75 KW ND ERP 590 METERS HAAT
FROM EXISTING WVTB-DT SITE
OCTOBER 2007

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Dist(km)</u>	<u>Status</u>	<u>Results</u> <u>No Baseline</u>	<u>Results</u> <u>Above WVTB-DT 7th R&O</u>
18	WMFP-DT	LAWRENCE MA	257.3	7th R&O	0.08%	-0.05%
19	WABI-DT	BANGOR ME	223.1	7th R&O	no interference	no interference

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TABLE VIII
PREDICTED LONGLEY-RICE INTERFERENCE ANALYSIS
VERSUS OTHER FACILITIES IN THE PROTECTED ROUND ONE CHANNEL ELECTION DATABASE
FOR THE DESIRED PETITION FOR RECONSIDERATION OPERATION OF
WVTB-DT, ST. JOHNSBURY, VERMONT
CHANNEL 18 75 KW ND ERP 590 METERS HAAT
FROM EXISTING WVTB-DT SITE
OCTOBER 2007

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Dist(km)</u>	<u>Status</u>	<u>FCC File No.</u>	<u>Results</u> <u>No Baseline</u>	<u>Results</u> <u>Above WVTB-DT 7th R&O</u>
17	WCBB	AUGUSTA ME	156.7	PRTCT	BDTV-440916	no interference	no interference
18	WUVN	HARTFORD CT	319.4	TVDB	BLCT-19870304KI	0.00%	-0.06%
18	WMFP	LAWRENCE MA	257.3	PRTCT	BPCDT-19991101AFC	0.01%	-0.01%
18	WNPI-TV	NORWOOD NY	234.9	TVDB	BPET-20030109AAJ	0.12%	-0.62%
19	WABI-TV	BANGOR ME	223.1	PRTCT	BDTV-444213	no interference	no interference
20	WVTB	ST. JOHNSBURY VT	0	TVDB	BLET-19910816KE	no interference	no interference
22	WVNY	BURLINGTON VT	73.2	TVDB	BLCT-19810108KE	0.00%	0.00%