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October 25, 2007

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Via Hand-Delivery

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: **Winston Broadcasting Network, Inc.  
Petition for Reconsideration of the  
Seventh Report and Order in MB Docket No. 87-268**

Dear Ms. Dortch:

On behalf of Winston Broadcasting Network, Inc., enclosed for filing are an original and four (4) copies of a Petition for Reconsideration of the *Seventh Report and Order* in the above-referenced docket. This petition is also being filed electronically in the Commission's Electronic Comment Filing System.

Should any questions arise in considering this matter, it is respectfully requested that you communicate with this office.

Sincerely,



Stephen Hartzell

Counsel to Winston Broadcasting Network, Inc.

Enclosure

cc: Nazifa Sawez (by hand)

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of

Advanced Television Systems  
And Their Impact Upon the Existing  
Television Broadcast Service

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MB Docket No. 87-268

To: The Commission

**PETITION FOR RECONSIDERATION  
BY WINSTON BROADCASTING NETWORK, INC.**

Mark J. Prak  
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*Counsel to Winston Broadcasting Network, Inc.*

October 25, 2007

## PETITION FOR RECONSIDERATION

Winston Broadcasting Network, Inc. ("Winston"), the licensee of WBNX-TV and WBNX-DT, Akron, Ohio, by and through its undersigned attorneys and pursuant to Section 1.106 of the Commission's Rules, hereby requests that the Commission reconsider its decision in *In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service*, Seventh Report and Order and Eighth Further Notice of Proposed Rulemaking, 22 FCC Rcd 15581 (2007) ("*Seventh Report and Order*") to the following limited extent: The Commission should reconsider the antenna pattern attributed to WBNX-DT in Appendix B to the final digital table of allotments ("DTV TOA").

When Winston filed its Form 381 certification, it specified operating parameters that were accurate at that time. Specifically, Winston certified to post-transition operation with maximized facilities, consistent with its then-pending construction permit application in File No. BPCDT-19991029AFM. See FCC File No. BCERCT-20041027ADP. Following its certification, Winston amended its pending construction permit application, most recently in February 2006, to change the specified antenna parameters. This amendment resulted in a change in the WBNX-DT antenna ID number. In April 2006, the Commission granted the WBNX-DT construction permit, including the revised antenna specs, and Winston constructed the facility. On August 2, 2007, the Commission granted the WBNX-DT license application. At all relevant times, Winston has operated WBNX-DT with its now-licensed antenna specs. Winston submits the instant Petition to request that the Commission reconsider the allotment assigned for WBNX-DT in the DTV TOA, to the extent that the allotment, in Appendix B, contains an outdated and inaccurate antenna ID number. Winston merely requests that Appendix B be updated to reflect the current and correct antenna ID number as follows:

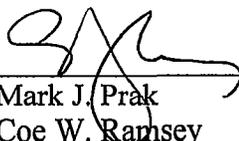
<b>Erroneous Appendix B WBNX-DT Data</b>	<b>Correct WBNX-DT Data</b>
Antenna ID 66037	Antenna ID 71743

### **Conclusion**

For the reasons set forth above, the Commission should reconsider WBNX-DT's digital allotment to the extent that it revise the Appendix B data to harmonize the antenna ID number with WBNX-DT's current operating parameters specified and granted in File No. BLCDT-20070430AXX.

Respectfully submitted,

WINSTON BROADCASTING NETWORK, INC.

  
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October 25, 2007