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November 16, 2007

VIA ECFS AND HAND DELIVERY

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: MB Docket No. 03-15 -- Request for Waiver of the July 1, 2006 "Use or Lose"
Deadline as Extended to November 18, 2007

Dear Ms. Dortch:

Piedmont Television of Anchorage License, LLC, ("Piedmont Anchorage") through undersigned counsel, hereby submits this request for a waiver of the "use or lose" interference extension deadline to the extent necessary. Piedmont Anchorage has also submitted an Application for Extension of Time to Construct a Digital Television Broadcast Station on FCC Form 337 (File No. BEPCDT- 20071115ACL) since the current extension of time to construct its digital facilities was granted in Order, *DTV Build-Out, Applications Requesting Extension of the Digital Television Construction Deadline*, 22 FCC Rcd 9789, Appendix A.

Now that Piedmont Anchorage has nearly fully constructed its digital facilities (except for the side-mounted antenna), it may be more appropriate to file in this docket.

FLETCHER, HEALD & HILDRETH, P.L.C.

Marlene H. Dortch, Esq.
November 16, 2007
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Please contact undersigned counsel should you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph M. Di Scipio". The signature is fluid and cursive, with a long horizontal stroke at the end.

Joseph M. Di Scipio
*Counsel for Piedmont Television of
Anchorage License, LLC*

Piedmont Television of Anchorage License LLC
Further Extension of Time to Construct
Exhibits 1, 2, and 3

Piedmont Television of Anchorage License LLC (“Piedmont Anchorage”), the permittee of KTBY-DT/35655, Anchorage, Alaska, hereby seeks an extension of its digital construction permit (File No. BMPCDT-20060214AAK)¹ and/or a waiver of the “use or lose” interference protection deadline. Piedmont Anchorage is pleased to report that it has completed construction of its digital facilities with a side-mounted antenna, has received Special Temporary Authority (“STA”) to operate with the side-mounted antenna (File No. BDSTA-20070613ABQ), and it began operations pursuant to that STA.

As such, Piedmont Anchorage has constructed virtually full facilities, but cannot file a license application at this time because of the side-mounted digital antenna (the analog antenna is top mounted). As required by the *Public Notice*² released prior to the July 2006 construction deadline, Piedmont Anchorage submits the answers to the 5 questions listed in the *Public Notice* for stations with side mounted antennas:

1. The KTBY-DT side-mounted total population coverage currently serves about 3,000 people deficient of full coverage (the side-mount serves 99% of population). The side-mounted total land area served coverage, covers 35 square kilometer less than full coverage which is virtually identical to the final top-mounted service area.
2. Piedmont Anchorage cannot fully-build out the KTBY-DT facilities because KTBY-TV currently has a top-mounted analog channel 4 antenna and a side-mounted digital channel 20 antenna. It is not possible to fully construct the digital facilities because the analog is on top of a building in Anchorage and the analog cannot be side-mounted on the building. So there is no way to fully complete digital construction until such time as the analog antenna is removed around the transition date.
3. See the answers to questions 1 and 2 above for the impact on the viewers and the non-monetary costs to Piedmont Anchorage. Although there are associated costs with moving the digital antenna to the top of the tower and removing the analog antenna, the major impediment is that it is not possible to put both antennae on top of the tower.
4. Yes, upon termination of the analog transmissions, Piedmont Anchorage intends to remove the channel 4 analog top-mounted antenna and install the

¹ A modification of this permit was recently filed to correct the antenna pattern (File No. BMPCDT-20071108ACC). The current permit expires November 18, 2007 as extended by Order, *DTV Build-Out, Applications Requesting Extension of the Digital Television Construction Deadline*, 22 FCCRcd 9789, Appendix A.

² Public Notice, *DTV Channel Election Issues – Compliance with the July 1, 2006 Replication Maximization Interference Protection Deadline; Stations Seeking Extension of the Deadline*, DA 06-1255, MB Docket No. 03-15 (June 14, 2006) (“Public Notice”).

Piedmont Television of Anchorage License LLC
Further Extension of Time to Construct
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channel 20 digital antenna in the top-mounted position which will result in fully constructed digital facilities.

5. In sum, the large digital coverage area that KTBY-DT currently has provides a very strong signal to virtually all of the viewers in the DMA. It is not possible to complete full digital construction at this time.

As demonstrated above, Piedmont Anchorage has constructed digital facilities, that other than being top-mounted, practically replicate its final digital operations. Piedmont Anchorage respectfully requests an extension of its digital construction permit and/or a waiver of the “use or lose” interference protection deadline.