



November 16, 2007

**Via ECFS and Electronic Mail**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
The Portals  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Re: Request for Extension of Time to Construct Full-Power DTV Facilities and Continuing Special Temporary Authority and Request for Confidential Treatment, MB Docket 03-15

Dear Ms. Dortch:

Nexstar Broadcasting, Inc. ("Nexstar"), the licensee of the television broadcast stations listed on Attachment 1 hereto, hereby requests a further extension of the July 1, 2006 replication/maximization interference protection deadline to construct full-power digital facilities for these stations.

Nexstar is the licensee of 31 full-power television stations, operating in DMAs 41-201. The build out of DTV facilities for its stations is one of the highest priorities of the company, and all 31 of its stations are currently operating either full-power or low-power DTV facilities. Nexstar has devoted, and continues to devote, significant company resources to the successful transition of all 31 stations from analog to digital facilities before the February 17, 2009 deadline mandated by Congress.<sup>1</sup> Toward this goal, Nexstar has constructed the post-transition DTV facilities for 14 of its 31 stations, and these stations are either licensed or FCC Forms 302-DTV have been filed and are pending.<sup>2</sup> Within the past 12 months, Nexstar has constructed the DTV facilities for nine of these 14 stations. The company's construction efforts over the past 12 months underscore the seriousness of its commitment to the DTV transition process.

In 2004, the Commission established July 1, 2006 as the date by which all stations were required to increase their DTV power levels to replicate their analog facilities (or to maximize their DTV operations) or else lose interference protection for any unserved areas.<sup>3</sup> However, the Commission further stated that it was "adopting a waiver process for stations that truly cannot

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<sup>1</sup> Nexstar's total expenditures to date on the DTV transition are approximately \$

<sup>2</sup> These 14 stations are KARK-TV, Little Rock, Arkansas; KFTA-TV, Fort Smith, Arkansas; KNWA-TV, Rogers, Arkansas; KSFX-TV, Springfield, Missouri; KTAB-TV, Abilene, Texas; KTAL-TV, Texarkana, Texas; WBRE-TV, Wilkes-Barre, Pennsylvania; WCIA, Champaign, Illinois; WLYH-TV, Lancaster, Pennsylvania; WMBD-TV, Peoria, Illinois; WQFR-TV, Rockford, Illinois; WROC, Rochester, New York; WTAJ-TV, Altoona, Pennsylvania; and WTVW, Evansville, Indiana.

<sup>3</sup> *Report and Order, In the Matter of Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, 19 FCC Rcd 18279, 18300 (2004).

afford to build out these minimum requirements, or that cannot build out for other reasons beyond their control” by the July 1, 2006 deadline.<sup>4</sup> It is pursuant to this waiver standard that Nexstar respectfully requests an extension of the July 1, 2006 replication/maximization interference protection deadline to construct full-power digital facilities for 17 of its stations.

On May 18, 2007, the Commission proposed to give stations whose pre-transition DTV stations are different from their post-transition stations until February 17, 2009 to construct their full-power post-transition facilities.<sup>5</sup> Four of Nexstar’s stations fall into that category – WJET-TV, Erie, Pennsylvania; WHAG-TV, Hagerstown, Maryland; KQTV, St. Joseph, Missouri and WCFN-TV, Springfield, Illinois. All four of these stations are currently operating low-power DTV facilities. Since a report and order adopting that proposal has not been released, Nexstar includes these four stations in this instant request for extension of the July 1, 2006 replication/maximization interference protection deadline. Nexstar also is broadcasting low-power DTV signals for its remaining 13 stations with post-transition DTV channel assignments that are different from their pre-transition assignments.<sup>6</sup> Nexstar hereby respectfully requests an extension of the July 1, 2006 replication/maximization interference protection deadline for these 13 stations as well.

As Nexstar has stated in previous requests for extension of the maximization interference protection deadline for its stations,<sup>7</sup> the company is working with AZCAR and Morrison Hershfield (collectively “AZCAR”) to complete the DTV transition. With AZCAR, Nexstar has developed a final master plan to convert all of Nexstar’s stations to full-power digital operations before February 17, 2009. Set forth in Attachment 1 hereto are the anticipated construction dates for full-power post-transition DTV facilities for the 17 Nexstar stations currently operating low-power DTV facilities. The most significant challenge in meeting these construction deadlines is the strengthening or replacement of the towers for all of these stations. It is estimated that the cost of these tower repairs/replacements will be approximately \$ . Attached hereto as Attachment 2 is a letter from Morrison Hershfield Corporation providing detailed information with respect to the required upgrades and/or repairs to each of the station’s towers, including a tentative schedule for completing such actions.

<sup>4</sup> *Id.* at 18317. See also *Public Notice DA-06-1255* (rel. June 14, 2006).

<sup>5</sup> See *Notice of Proposed Rulemaking, Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*, 22 FCC Rcd 9478, 9503-04 (2007).

<sup>6</sup> These stations are KAMR-TV, Amarillo, Texas; KARD, West Monroe, Louisiana; KBTW-TV, Port Arthur, Texas; KFDX-TV, Wichita Falls, Texas; KLBK-TV, Lubbock, Texas; KLST, San Angelo, Texas; KMID, Midland, Texas; KSNF, Joplin, Missouri; KSVI, Billings, Montana; WDHN, Dothan, Alabama; WFFT-TV, Fort Wayne, Indiana; WFXV, Utica, New York and WTWO, Terre Haute, Indiana.

<sup>7</sup> In 2005, Nexstar requested an extension of the July 1, 2005 replication/maximization construction deadline for its top-four affiliated stations in the top 100 markets. Nexstar subsequently initiated full-power DTV broadcasts (and has submitted applications for license) for all of its top-four/top-100 stations. In July 2007, Nexstar submitted an extension request, similar to the instant request, for 29 of its stations.

Based on AZCAR's proposed construction plan, Nexstar has executed contracts with Acrodyne and Thales Broadcast & Multimedia for transmitters, Dielectric for antennas and transmission line, and with Micro Communications, Inc. for RF systems. When Nexstar is ready to construct the full-power facilities for its stations it will execute contracts, on a station-by-station basis, for the needed repairs and upgrades for its towers.

AZCAR's analysis also estimated that the equipment necessary to initiate full-power DTV operating for its remaining stations (including antennas, transmitters, encoders, transmission line and non-tower site upgrades) will cost approximately \$ . AZCAR further estimated that Nexstar will have to spend approximately \$ in engineering and consulting fees to bring all stations to full-power digital operation. Based on AZCAR's analysis, Nexstar believes it will cost approximately \$ (including tower upgrade costs) to convert its remaining stations to full-power digital operations.

Nexstar is committed to constructing full-power digital operations for its stations as expeditiously as possible. However, Nexstar's financial situation does not allow it to undertake such a large expenditure in any given year. As of September 30, 2007, Nexstar had approximately \$679,478,000 in outstanding debt. Nexstar is not in a position to incur additional debt under its loan agreement or through the issuance of bonds for capital expenditures in the amount required to complete full-power DTV facilities for its remaining stations. Therefore, Nexstar is funding its full-power DTV conversion from its available working cash-flow.

In order to meet its other payment obligations (including payroll, programming and debt service costs) from its available cash flow, Nexstar has developed a timetable for conversion of its stations to full-power operations based on its overall projected cash-flow and expenses. While there are variables beyond Nexstar's control, such as weather delays and manufacturers' scheduling conflicts, Nexstar anticipates that it will be able to initiate full-power digital operations for on the schedule set forth in Attachment 1.

Based on the foregoing, Nexstar submits there is good cause for continuing waiver of the July 1, 2006 replication/maximization deadline with respect to the stations listed in Attachment 1. Such action is in the public interest as it will allow Nexstar to provide the public with digital services prior to the February 2009 transition date. Nexstar also requests a further extension of special temporary authority to continue operating the stations listed in Attachment 1 with the facilities specified in their requests for special temporary authority until such time as the stations' full-power DTV facilities are constructed.

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In accordance with Public Notice DA 06-1255, Nexstar is submitting an application of Form 337 for extension of construction permit for each of the stations listed in Attachment 1.

Please address any questions concerning this request for extension of time to Nexstar's counsel, Howard Liberman or Naomi Travers of Drinker Biddle & Reath LLP, at (202) 842-8800.

Very truly yours,

A handwritten signature in cursive script, appearing to read "M. E. Devine".

Matthew Devine  
Chief Financial Officer

cc: Shaun Maher (Video Services Division)

**ATTACHMENT 1**

<u>Station</u>	<u>DTV Construction Permit</u>	<u>DTV STA</u>	<u>Anticipated Construction Date</u>
KARD-DT	BMPCDT-20070125ACR	BEDSTA-20060215ADZ	December 2007
KLBK-DT	BMPCDT-20070125ABT	BEDSTA-20051114AOS	December 2007
KAMR-DT	BMPCDT-20070125ABO	BEDSTA-20051114AOR	January 2008
KFDX-DT	BMPCDT-20070621ABP	BEDSTA-20051114AOQ	June 2008
WFFT-DT	BMPCDT-20070125ACY	BEDSTA-20060215AEA	June 2008
WTWO-DT	BMPCDT-20070125ADB	BEDSTA-20051114AOP	August 2008
WCFN-DT	BPCDT-19991026ABC	BEDSTA-20051223ACG	October 2008
KBTW-DT	BMPCDT-20040312ADS	BEDSTA-20060403CEF	December 2008
KMID-DT	BPCDT-19991029ADE	BEDSTA-20060403CEE	December 2008
KQTV-DT	BMPCDT-20040312ADV	BEDSTA-20051114AOL	December 2008
KSVI-DT	BPCDT-19991029ACI	BEDSTA-20060215AEB	December 2008
WFXV-DT	BPCDT-19991028AIE	BEDSTA-20051114AOG	December 2008
WDHN-DT	BMPCDT-20070125ACS	BEDSTA-20051114AOK	December 2008
KLST-DT	BPCDT-19991015ABB	BEDSTA-20051114AOO	February 2009
KSNF-DT	BMPCDT-20070125ACP	BEDSTA-20051114AOF	February 2009
WHAG-DT	BMPCDT-20021203ACX	BEDSTA-20050627ADQ	February 2009
WJET-DT	BMPCDT-20040802BDC	BEDSTA-20051114AOM	February 2009

**ATTACHMENT 2**

See attached.



November 16, 2007

Mr. Rick Stolpe  
Nexstar Broadcasting, Inc.  
62 South Franklin Street  
Wilkes-Barre, PA 18701

Re: Tower Upgrades

Dear Rick:

As part of our comprehensive analysis for Nexstar's full-power DTV television build-out we have determined that a number of your stations' antenna structures require strengthening or replacement prior to the installation of the equipment necessary for full-power DTV operations. Below is a summary of the current status of Nexstar's antenna structures, which are in need of repair before installing additional DTV equipment, a description of the work, required and an estimate of the time required to make the required repairs once work is begun.

Erie (WJET) – This tower is severely overstressed for the DTV antenna installation. The existing tower cannot be effectively modified for the new loading and will have to be replaced with a new tower structure.

Springfield (WCFN) – This tower is severely overstressed for the DTV antenna installation. The existing tower cannot be effectively modified for the new loading and will have to be replaced with a new tower structure.

Lubbock (KLBK) – This tower is moderately overstressed for the DTV antenna installations. The tower will require bracing of the leg members over four levels, reinforcement of two levels of horizontal struts and re-tensioning of all guy wires.

Amarillo (KAMR) – This tower is moderately overstressed for the DTV antenna installation. The tower will require mid-panel bracing over four panels, thirteen levels of diagonal replacement, six levels of strut replacement and re-tensioning of all guy wires. In addition, the guy anchor foundation will also need to be modified.

Utica (WFXV) – This station will require a new tower facility for the DTV antenna installation.

Joplin (KSNF) – This tower is significantly overstressed for the DTV antenna installation. The tower will require forty-seven bays of leg bracing and four levels of guy replacement.

Terre Haute (WTWO) – The equipment for the DTV operations for WTWO are being combined on a tower owned by Mission Broadcasting. This tower is moderately overstressed for the DTV antenna installations. The tower will require thirty bays of leg bracing, four bays of diagonal replacement and three levels of guy wire replacement.

Wichita Falls (KFDX) – This tower is significantly overstressed for the DTV antenna installation. The tower will require three new guy anchors, guy wire replacements at 441 ft, 681 ft and 941 ft above grade, leg reinforcement from base to 101 ft above grade and from 771 to 927 ft above grade, mid-panel bracing at select locations from base to 945 ft above grade, new diagonal bracing at select locations along the tower height and re-tensioning of all guy wires.

San Angelo (KLST) – This tower is moderately overstressed for the DTV antenna installation. The tower will require thirteen bays of leg bracing and reinforcement of select member connections over the full tower height.

Monroe (KARD) – This tower is severely overstressed for the DTV antenna installation. The existing tower cannot be effectively modified for the new loading and will have to be replaced with a new tower structure.

Hagerstown (WHAG) – This tower is moderately overstressed for the DTV antenna installation. The tower will require seven bays of leg bracing and reinforcement of select member connections over the full tower height. In addition, the guy anchor foundation will also need to be modified.

St. Joseph (KQTV) – This tower is severely overstressed for the DTV antenna installation. The existing tower cannot be effectively modified for the new loading and will have to be either replaced with a new tower structure or an alternate tower will need to be located for the installation of the DTV antenna. Alternate rental locations are currently being evaluated.

Beaumont (KBTW) – This tower is severely overstressed for the DTV antenna installation. The existing tower cannot be effectively modified for the new loading and will have to be either replaced with a new tower structure or an alternate tower will need to be located for the installation of the DTV antenna. Alternate rental locations are currently being evaluated.

Billings (KSVI) – This tower is moderately overstressed for the DTV antenna installation. The tower will require ten bays of leg bracing and reinforcement of select member connections over the full tower height.

Midland (KMID) – This tower is severely overstressed for the DTV antenna installation. The existing tower cannot be effectively modified for the new loading and will have to be either replaced with a new tower structure or an alternate tower will need to be



located for the installation of the DTV antenna. Alternate rental locations are currently being evaluated.

Fort Wayne (WFFT) – This tower is moderately overstressed for the DTV antenna installation. The tower will require ten bays of leg bracing and reinforcement of select member connections over the full tower height.

Dothan (WDHN) – This tower is moderately overstressed for the DTV antenna installations. The tower will require twenty-five bays of leg bracing, nine bays of diagonal replacement and reinforcement of select member connections along the tower height.

Engineering work and material fabrication for KARD, KLBK and KAMR has already been completed. The stations KARD and KLBK are expected to be on air with full power DTV operations by December 2007. The station KAMR is expected to be on air with full power DTV operations by January 2008.

Engineering work for KFDX, WFFT, WTWO, WCFN, KSVI, WFXV, WDHN, KLST, KSNF, WHAG and WJET has already been completed. KFDX and WFFT are expected to be on air with full power DTV operations by June 2008. WTWO is expected to be on air with full power DTV operations by August 2008. WCFN is expected to be on air with full power DTV operations by October 2008. KSVI, WFXV and WDHN are expected to be on air with full power DTV operations by December 2008. KLST, KSNF, WHAG and WJET are expected to be on air with full power DTV operations by February 2009.

For the remaining stations; KBTV, KMID and KQTV, rental locations are being evaluated and all three stations are expected to be on air with full power DTV operations by December 2008.

The anticipated time periods are based on our experience with similar scope of work carried out on overstressed towers. This is subject to change depending on material and crew availability as well as unforeseen weather related delays.

Sincerely,



Shylesh Moras  
Manager, Tower Upgrades  
Morrison Hershfield Corporation  
770-379-8509 (tel)  
770-379-8501 (fax)

