

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Advanced Television Systems and their)
Impact Upon the Existing Television) MB Docket No. 87-268
Broadcast Service)
)
To: The Commission, Office of the Secretary)

REQUEST FOR SPECIAL RELIEF

Lake Superior Community Broadcasting Corporation (“Lake Superior”), licensee of WBKP(TV), Calumet, Michigan, (Facility ID Number-76001) by its attorney, hereby submits a request for special relief to correct the parameters specified for WBKP(TV) in Appendix B to the Commission’s Seventh Report and Order in its ongoing rule making proceeding regarding the transition to digital television.¹ As detailed below, Lake Superior has discovered that Appendix B to the Seventh Report and Order inadvertently reflects a tower site proposed by a previous licensee, which will not be built and which is located nearly 50 miles away from WBKP(TV)’s current tower site. Lake Superior respectfully requests that the Commission revise the parameters specified for WBKP(TV) in Appendix B of its Seventh Report and Order to reflect the fact that the station will flash-cut to digital at its current tower site. To that end, Lake Superior hereby provides several engineering options to assist in revising the Appendix. Lake Superior submits that it is in the public interest to update the parameters contained in Appendix

¹ *Advanced Television Systems and their Impact Upon the Existing Television Broadcast Service*, Seventh Report and Order, 22 FCC Rcd 15581, FCC 07-138 (2007). Although the time for filing Petitions for Reconsideration of the Seventh Report and Order has expired, Lake Superior respectfully requests that the Commission make this change to Appendix B *sua sponte* and in conjunction with any subsequent Order on Reconsideration of the Seventh Report and Order that it may adopt.

B to accurately reflect the service area and the facilities that WBKP(TV) will employ when flash-cutting to digital operations on its present analog channel.

Presently, WBKP(TV) operates on NTSC Channel 5. WBKP(TV) had initially been assigned Channel 11 for its DTV operations, however, it subsequently elected to flash-cut on its analog Channel 5 consistent with the Commission's Rules.² Thus, WBKP(TV) was assigned Channel 5 for its final DTV operations.³ At the time pre-election certifications were made in 2004, WBKP(TV) had elected protection for the service area of the DTV construction permit that it held at the time.⁴ That digital construction permit had been obtained by the previous licensee of the station, and specified a new tower that the previous licensee proposed to build approximately 50 miles away from WBKP(TV)'s analog transmitter site. Subsequently, WBKP(TV) elected to flash-cut to digital on its analog Channel 5, however, the replication facilities assigned in Appendix B continued to utilize the distant transmitter site proposed in the defunct construction permit, rather than the station's current NTSC operation. As WBKP(TV) cannot build at the tower site 50 miles away (it owns neither land nor a tower), it respectfully requests that the allotment in Appendix B be modified to reflect replication of WBKP(TV)'s current NTSC facilities from its current NTSC transmitter site.

On behalf of Lake Superior, consulting engineer, John Lundin, from duTriel, Lundin & Rackley, Inc., has prepared suggested parameters for WBKP(TV)'s replication facilities from the station's current NTSC transmitter site. Attached is an engineering statement prepared by Mr.

² See *DTV Transition – Approval of “Flash Cut” Requests*, Public Notice, 22 FCC Rcd 7581 (April 25, 2007).

³ *Seventh Report and Order* at Appendix B.

⁴ See FCC File No. BCERCT-20041105ASD, and FCC File No. BMPCDT-20020122AAN.

Lundin proposing digital operations from WBKP(TV)'s current tower site, which is Antenna Structure Registration Number 1007829, located at geographic coordinates 47-02-11N, 88-41-43W (NAD-27). Included with Mr. Lundin's engineering statement is a map depicting the DTV coverage provided by the three different options he has come up with. Interference studies using OET-69 indicate that these three options for possible Channel 5 DTV operations using the present transmitter site do not cause more than 0.1% new interference to other post transition DTV assignments.

Accordingly, Lake Superior respectfully requests that the Commission grant this request for special relief and modify the technical parameters specified for WBKP(TV) in Appendix B to specify replication of the station's current analog facilities by flash-cutting to digital operations at the station's current NTSC transmitter site as set forth in the attached engineering.

Alternatively, it is requested that the Commission make this change to the Appendix B facilities contained in the Seventh Report and Order on its own motion. Lake Superior submits that such a modification to Appendix B is in the public interest as it will have no negative impact on any other station, and will not cause interference to any other post transition DTV assignments.

Furthermore, such a modification of Appendix B would allow WBKP(TV) to comply with the Commission's rules by replicating its current analog service in digital. Finally, if WBKP(TV) were required to remain within the contour created by the incorrect Appendix B parameters, it

would have to drastically reduce its coverage area to a fraction of its replication area in order to avoid extending beyond the current Appendix B contour. For these reasons, it is requested that the Commission modify the parameters specified in Appendix B for WBKP(TV) as described herein.

Respectfully submitted,

**LAKE SUPERIOR COMMUNITY
BROADCASTING CORPORATION**

By: /s/ Brendan Holland

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Dated: November 19, 2007

ATTACHMENT

TECHNICAL STATEMENT
CONCERNING THE POST TRANSITION
DTV ALLOTMENT FOR
STATION WBKP-DT, CALUMET, MICHIGAN
FACILITY ID 76001

This Technical Statement provides information concerning the proposed post transition digital television (DTV) allotment for station WBKP at Calumet, Michigan (Facility ID 76001).

Station WBKP(TV) has its analog (NTSC) operation on channel 5 (BLCT-19961112KF). The station uses a Harris directional antenna (DA) system with a “peanut” or “figure 8” azimuth pattern. The pattern major lobes are oriented toward 45 and 225 degrees True. The maximum visual effective radiated power (ERP) is 100 kilowatts (kW). The antenna center of radiation is 143 meters above ground level (AGL), and 603 meters above mean sea level (AMSL). The antenna height above average terrain (HAAT) is 295 meters. The antenna structure registration number (ASRN) is 1007829 and the site coordinates are 47-02-11, 88-41-43 (NAD-27).

Station WBKP-DT wishes to use its present transmitting facilities for its post transition DTV operation on channel 5. Under the FCC’s normal process for replication of analog coverage for a proposed DTV allotment, the FCC would develop an antenna pattern where the DTV contour matches the analog contour. The FCC developed antenna pattern would be similar in shape, but not the same as the current analog pattern. However, as noted, above WBKP wishes to use its present antenna.

If the FCC insists on no extension of the present analog contour (Grade B, 47 dBu) by the DTV allotment, then WBKP-DT would be restricted to an ERP of 2.4 kW using its present antenna system on channel 5 (ie, 2.4 kW-DA, 295 m). If the FCC will permit some flexibility then an ERP of 6.3 kW provides a good fit for the major lobe coverage using the present antenna (ie, 6.3 kW-DA, 295 m). It is recognized that the 6.3 kW operation will result in contour expansion in the side null regions to the southeast and northwest. An intermediary option is an ERP of 5 kW where there is some expansion and some reduction of the DTV coverage as compared to the analog (ie, 5 kW-DA, 295 m).

Attached is a map (Figure 1) showing the predicted contours for various WBKP operations. The predicted Grade B (47 dBu) contour is shown for the present WBKP(TV) analog operation (100 kW-DA, 295 m). The predicted 28 dBu DTV contours are for 3 assumed operations of WBKP-DT on channel 5 using the present analog antenna. The assumed post transition DTV operations for WBKP-DT are : no contour expansion (2.4 kW-DA, 295 m); some contour expansion (6.3 kW-DA, 295 m); and some expansion and some reduction (5 kW-DA, 295 m).

Interference studies using OET-69, a 2 kilometer grid, a 1 kilometer terrain increment, and the 2000 US Census have been run for the various WBKP operations. The 3 assumed WBKP post transition DTV operations using the present antenna (2.4 kW-DA, 5 kW-DA, 6.3 kW-DA) will not cause more than 0.1% new interference to other post transition DTV allotments.

The service populations for the various WBKP operations have been calculated using OET-69 and the 2000 Census. The following is a summary.

Present WBKP(TV) analog service = 54,434 people.

Assumed WBKP-DT no expansion (2.4 kW-DA) service = 54,403 people.

Assumed WBKP-DT some expansion (6.3 kW-DA) service = 55,995 people.

Assumed WBKP-DT some expansion, some reduction (5 kW-DA) service = 55,267 people.

If there are questions concerning this technical statement, please communicate with the office of the undersigned.

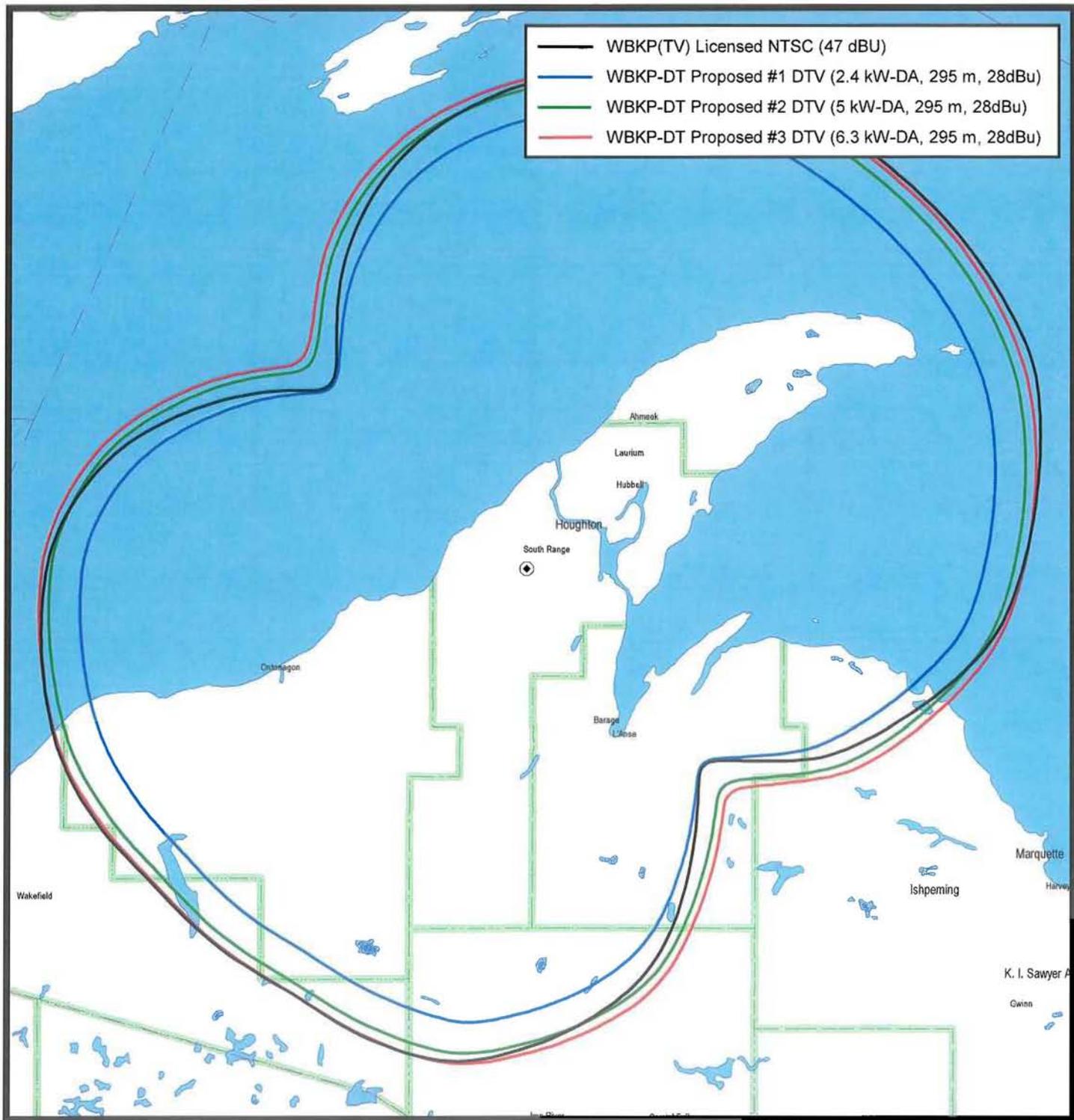


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Figure 1



PREDICTED FCC COVERAGE CONTOURS

STATION WBKP
CALUMET, MICHIGAN

du Treil, Lundin & Rackley, Inc. Sarasota, Florida