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November 19, 2007

FILED VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Room TW-A325
Washington, DC 20554

**Re: MB Docket No. 03-15
WBKB-TV, Alpena, Michigan (FIN-67048)
Request for Clarification re: Extension of DTV Construction Period**

Dear Ms. Dortch:

Out of an abundance of caution, Thunder Bay Broadcasting Corporation (“Thunder Bay”), licensee of WBKB-TV, Alpena, Michigan, hereby submits the attached letter – which was filed through the Secretary’s Office on November 15, 2007 – electronically via ECFS into MB Docket No. 03-15.

If there are any questions regarding this request, please contact the undersigned.

Respectfully submitted,

Brendan Holland



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FILED/ACCEPTED

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Federal Communications Commission
Office of the Secretary

VIA HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Room TW-A325
Washington, D.C. 20554

**Re: Thunder Bay Broadcasting Corporation
WBKB-TV, Alpena, Michigan, (FIN- 67048)
Request for Clarification re: Extension of DTV Construction Period**

Dear Ms. Dortch:

By this letter, Thunder Bay Broadcasting Corporation ("Thunder Bay"), licensee of WBKB-TV, Alpena, Michigan, seeks to clarify that WBKB-DT has been granted an extension of the applicable DTV construction period until after the rules to be adopted in the Commission's Third Periodic DTV Order.¹ By its May 2007 Order granting extensions of the digital television construction deadline, the Commission granted stations whose pre-transition DTV channels are different from their post-transition DTV channels extensions of time to construct DTV facilities until 30 days after the effective date of the amendments to the Commission's Rules proposed in the Third Periodic NPRM.² Although, WBKB-TV has received a tentative channel designation for a channel other than its current operational DTV channel, namely Channel 11, its present analog channel,³ it was inadvertently granted a six-month extension of time, rather than an

¹ Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, Notice of Proposed Rulemaking, MB Docket 07-91, FCC 07-70 (May 18, 2007) ("Third Periodic NPRM").

² DTV Build-Out: Applications Requesting Extension of the Digital Television Construction Deadline, Order, 22 FCC Rcd 9789, FCC 07-91, rel. May 18, 2007 at ¶ 62 ("May Extension Order").

³ See Advanced Television Systems and their Impact Upon the Existing Television Broadcast Service, Seventh Report and Order, 22 FCC Rcd 15581 (2007) at Appendix B.



extension until 30-days after the effective date of the rules to be adopted as a result of the Third Periodic NPRM.⁴ Accordingly, Thunder Bay hereby seeks to clarify that WBKB-TV's DTV construction deadline has in fact been extended until 30-days after the effective date of the rules to be adopted as a result of the Third Periodic NPRM.

Currently, WBKB-TV operates in analog on Channel 11, and operates a low power digital facility on Channel 13 – its pre-transition DTV channel – pursuant to Special Temporary Authority (“STA”).⁵ By this lower-power STA operation on Channel 13, WBKB-TV has commenced digital service and is providing DTV coverage to its community of license during the transition period consistent with the Commission's rules and policies. By its Third Periodic NPRM, the Commission has proposed to allow stations with operational DTV facilities on pre-transition channels – such as WBKB-DT – to discontinue further construction of their pre-transition DTV facilities and focus instead on the construction of their permanent digital facilities on their post-transition channels.⁶ Importantly, this approach will enable stations in smaller markets, such as WBKB-TV, to focus their efforts and limited resources on their post-transition facility without devoting any more time to expanding their existing DTV operations on their soon-to-be-abandoned, pre-transition channel. Thunder Bay believes this proposal is in the public interest, as it will avoid wasting limited resources on a facility that was meant only for the transition period and which will be terminated shortly. Thunder Bay filed comments in support of this proposal in response to the FCC's Third Periodic NPRM.⁷

Despite the fact that the Commission granted other similarly situated stations, *i.e.* those with proposals for facilities whose pre-transition DTV channels are different from their post-transition DTV channels, extensions of time until 30 days after the effective date of the amendments to the Commission's Rules proposed in this rule making for such stations, the Commission granted WBKB-TV only a six-month extension of time – until November 18, 2007 – in which to construct its full DTV facilities based on the financial hardship showing made by Thunder Bay. As it appears that this unequal treatment of WBKB-TV was an inadvertent error, Thunder Bay respectfully requests that the Commission revise WBKB-TV's DTV build-out extension to grant an extension of time until 30 days after the effective date of the amendments to the Commission's Rules, as WBKB-TV is in the category of stations with a pre-transition channel different from its post-transition channel. Out of an abundance of caution, simultaneously herewith, Thunder Bay will file an FCC Form 337 seeking an extension of

⁴ May Extension Order at ¶ 57.

⁵ See FCC File No. BEDSTA-20060629AHG.

⁶ NPRM at ¶¶ 60-66.

⁷ Thunder Bay Comments in MM Docket 07-91 dated August 15, 2007. By its comments, Thunder Bay also requested that the FCC clarify that WBKB-DT's construction period had been extended until 30 days after the effective date of the rules adopted by the Commission pursuant to its Third Periodic NPRM.

Marlene H. Dortch, Secretary
November 15, 2007
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WBKB-DT's DTV construction permit for its pre-transition digital channel, as well as a request for extension of its current STA facilities on Channel 13.

If there are any questions regarding this request, please contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brendan Holland'.

Brendan Holland