

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

In the Matter of)	
)	
Advanced Television Systems)	MB Docket 87-268
And Their Impact upon the)	
Existing Television Broadcast)	
Service)	
)	
Norwich, Connecticut)	

TO: Office of The Secretary

REPLY TO OPPOSITION TO PETITION FOR RECONSIDERATION

Connecticut Public Broadcasting, Inc. (CPBI), through its attorneys and pursuant to Section 1.429(g) of the Commission's rules hereby files its reply to the "Opposition of WTNH Broadcasting, Inc. (Opposition)" filed December 3, 2007 with respect to the "Petition for Reconsideration (Petition) filed by CPBI regarding the technical facilities allotted to Station WEDN(DT), Norwich, Connecticut, in the DTV Table of Allotments adopted in the Seventh Report and Order ("Seventh R&O"), FCC 07-138, released August 6, 2007.

1. WTNH Broadcasting, Inc. (WTNH) is the licensee of the New Haven, Connecticut television duopoly including Station WCTX-TV and Station WTNH-TV. The latter is operating on DTV Channel 10, and WTNH has asserted that the reconsideration of technical facilities sought by CPBI and operation of Station WEDN-TV in conformance with those parameters will add interference to the digital service of WTNH by an additional 21,000 viewers. WTNH states that the total interference to WTNH will represent 1.1% of the population served by WTNH (Opposition, p. 2). CPBI does not contest the technical finding, but WTNH has applied the wrong standard.

2. As recounted in the Petition, CPBI had initiated efforts to secure Channel *9 for Norwich in early 2004. The FCC had released its Notice of Proposed Rulemaking for adoption of that proposal in Docket No. 04-184 prior to the channel selection process launched by the Commission in the Second Periodic DTV Review.¹ The Commission has already established the correct standard regarding interference caused to other stations for the Norwich channel as 2.0 percent, as contained in the pre-channel selection process rules, and not 0.1 percent, the standard adopted as policy during the channel election process.² CPBI filed comments in response to the Seventh Further Notice and the Petition for Reconsideration so that the correct technical standards would be applied to Channel *9 at Norwich, in conformance with CPBI's filings and this legal standard. It is WTNH that is seeking more protection than it deserves under the rules.

3. The other factors outlined by WTNH in its Opposition should not change the result sought by CPBI. It is certainly worthy that WTNH has been on the air with a digital signal since 1999. CPBI also was a pioneer in digital broadcasting, having inaugurated digital service on Station WEDN under special temporary authority in 2000. WTNH also correctly notes the boon to public broadcasting that the improved Channel *9 at Norwich will serve additional populations. However, WTNH is misguided in describing any viewer as "located outside of the state of Connecticut where WEDN is chartered to serve (Opposition p. 4)." Viewers also value CPBI's noncommercial public television stations beyond the Connecticut state borders in Massachusetts, Rhode

¹ Report and Order, In the Matter of Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, MB Docket 03-15, 19 FCC Rcd 18279 (2004).

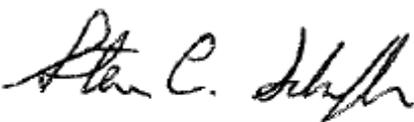
² Seventh Further Notice of Proposed Rule Making, In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, 21 FCC Rcd 12100 (2006) ("Seventh Further Notice"), para. 39.

Island and New York, and CPBI productions reach viewers throughout the country on public television stations everywhere. WTNH has an incorrect and misleading concept of CPBI's "mission." The 6.0 kW non-directional / 192m HAAT facility will be sought by CPBI at Norwich following the correction of the DTV Table sought in its "Petition" will most certainly serve the public interest.

WHEREFORE, the premises considered, CPBI urges the Commission reject WTNH's "Opposition" and to modify the Table of Allotments as requested in this Petition for Reconsideration.

Respectfully submitted,

CONNECTICUT PUBLIC BROADCASTING,
INC.

By: 
Steven C. Schaffer

SCHWARTZ, WOODS & MILLER
Suite 610, The Lion Building
1233 20th Street, NW
Washington, DC 20036
202-833-1700
202-833-2351/FAX

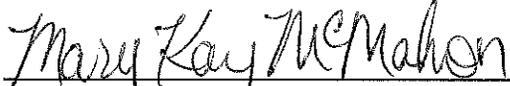
Its Attorneys

December 13, 2007

CERTIFICATE OF SERVICE

I, Mary Kay McMahon, hereby certify that the foregoing "Reply to Opposition to Petition for Reconsideration" was served this 13th day of December, 2007 by United States Postal Service, first class postage prepaid, addressed to:

Mace J. Rosenstein
Christopher G. Tygh
Covington & Burling LLP
1201 Pennsylvania Avenue, NW
Washington, DC 20004-2401



Mary Kay McMahon