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December 20, 2007

BY HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
c/o Natek, Inc.
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

FILED/ACCEPTED
DEC 20 2007
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20541

Re: MB Docket No. 87-268, Reply of Corridor Television LLP
to *ex parte* of the Association of Public Television Stations

Dear Ms. Dortch:

Transmitted herewith on behalf of Corridor Television, LLP, licensee of television station KCWX, Fredericksburg, Texas, Facility ID 24316, are the original and four copies of the Reply of Corridor to the *ex parte* of the Association of Public Television Stations in MB Docket No. 87-268.

Should additional information be necessary in connection with this matter, kindly communicate directly with the undersigned.

Respectfully submitted,



James A. Stenger

Encl.

DC #350726 v2

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**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)
)
Advanced Television Systems)
and Their Impact upon the)
Existing Television Broadcast)
Service)

MB Docket No. 87-268

To: The Commission

FILED/ACCEPTED

DEC 20 2007

Federal Communications Commission
Office of the Secretary

**Reply of Corridor Television LLP, Licensee of KCWX, Fredericksburg, Texas
to Ex Parte Presentation of the Association of Public Television Stations**

Corridor Television LLP (“Corridor”), licensee of television station KCWX, analog Channel 2, Facility Id. 24316, Fredericksburg, Texas, through its undersigned counsel, hereby replies to the *ex parte* letter of the Association of Public Television Stations (“APTS”) filed on December 14, 2007, and in support hereof respectfully shows as follows:

Alamo Public Telecommunications Council (“Alamo”), the licensee of KLRN, apparently has persuaded APTS to lobby the FCC on behalf of Alamo. APTS’ decision to do so is ill-advised and APTS’ *ex parte* letter is unfortunate. Corridor has offered a reasonable compromise, namely amending its request to ensure that Corridor will cause no more than 0.5 percent interference to any other station. APTS offers no reasonable basis to decline to accept Corridor’s compromise proposal.

APTS' contention is incorrect that it is "illogical" to equate interference levels less than 0.5 percent with zero interference.¹ The Commission proposed a revision of the interference standard to 0.5 percent because interference levels of less than 0.5 percent amount to zero interference, according to the Commission's processing rules for digital television applications that have been in effect since 1998.² Those are not Corridor's words, they are the words of the Commission. The Commission has recognized since 1998 that the Commission's interference prediction methodology does not permit the Commission reliably to predict interference levels in increments of less than 0.5 percent and the Commission has said since 1998 that interference levels of 0.5 percent or less are to be rounded to zero.³ Accordingly, the Commission's proposal to change the interference standard from 0.1 percent to 0.5 percent is quite logical. It would be illogical to continue to apply the 0.1 percent standard after the 0.5 percent standard is adopted.

The further contention of APTS that a grant of Corridor's compromise proposal would "render meaningless the Commission's existing 0.1 percent limit" ignores the clear statement by Corridor that Corridor does not request the Commission to grant Corridor's compromise proposal until after Commission adopts the proposed 0.5 percent interference standard. Once the Commission adopts the 0.5 percent interference standard, it would render meaningless the newly adopted 0.5 percent standard to continue to apply the 0.1 percent standard to Corridor's compromise proposal.

The Commission has recognized that a reasonable compromise should be approved where it will further the public interest. Thus, in *Qualcomm Incorporated Petition for Declaratory Ruling ("Qualcom")*, the Commission granted a waiver for digital mobile television

¹ APTS *ex parte* at 1.

² *Third Periodic Review*, MB Docket No. 07-9, DA 07-3518 (August 6, 2007) at paras. 104-106.

³ *Id.*

finding that the requested waiver represented a reasonable compromise that serves the public interest.⁴ The Commission holds in *Qualcom* that an interference level that begins at 0.5 percent and rises to 1.0 and then 1.5 percent “carefully balances” the competing public interest considerations and represents a “reasonable compromise.”⁵ To deny Corridor approval of a reasonable compromise proposal would be inconsistent not only with the 1998 DTV processing guidelines and the proposed 0.5 percent interference standard, but also with the Commission’s policy of fostering a reasonable compromise that balances competing public interests.

The Commission should balance the interests of the viewers of KCWX and KLRN. The viewers of KCWX have a legitimate interest in having KCWX on channel 8. APTS asks the Commission to give zero weight to the interests of the viewers of KCWX. APTS refuses to acknowledge that Corridor has offered a compromise. APTS seeks to use the 0.1 percent interference standard to force Corridor to operate on Channel 2, 5 or a UHF channel. Corridor has shown that neither the low VHF band nor the UHF band is in the best interest of the viewers of KCWX. Thus, Corridor has shown that the public interest in receiving the KCWX signal will be harmed in the event the compromise proposal of Corridor is not accepted.

On the other hand, APTS fails to show that any harm to the public interest in receiving the KLRN signal would occur in the event that the compromise proposal of Corridor is granted. APTS fails to support the claim that, “interference that limits KLRN’s reach, cuts off American households from access to Public Television, is at odds with Public Television’s universal service mandate.” According to the Commission, interference levels less than 0.5 percent amount to zero interference. It must logically follow that KLRN will suffer zero interference

⁴ *Qualcom*, WT Docket No. 05-7, 21 FCC Red 11683, 39 CR 903, (Oct. 13, 2006).

⁵ See *Qualcom*, statements of Chairman Martin and Commissioner Copps.

from the compromise proposal of KCWX. The compromise proposal of Corridor balances the public interest in reception of the KCWX and KLRN signals and should be granted.

Respectfully submitted,

Corridor Television LLP

By: 

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Its Counsel

Dated: December 20, 2007

CERTIFICATE OF SERVICE

I, Roberta Muscarella, hereby certify that on December 20, 2007, I served a copy of the foregoing Reply to APTS by first class mail, postage prepaid on the following:

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