

given, in Appendix B, a coverage area to replicate their analog service area. Each station presents arguments supporting their request to make a change to their digital allotment as described by these Appendix B parameters. However, these changes would result in expanded coverage areas in violation of the freeze. We have carefully considered their arguments advocating, for example, changes to antenna patterns. We conclude that it is not necessary to waive the freeze to address these concerns. These stations should be able to achieve their goal of serving current analog viewers with digital service using their existing equipment by requesting modifications through the application process, which is currently underway, and, where necessary, filing for maximization later this year. As described above, these stations must file an application to operate digitally on their post-transition channel and can file those applications at any time.³⁰⁸ At the application stage, these stations may take advantage of the 5-mile waiver policy and the 0.5 percent new interference policy adopted in the *Third DTV Periodic Report and Order*.³⁰⁹

I. Modifications to Appendix B to Address International Coordination Issues

132. WKYC, Cleveland, OH. We grant the request of WKYC and change Appendix B herein for that station to reflect a directional antenna pattern to reduce interference to a Canadian station. WKYC, which is licensed on analog channel 3 and pre-transition DTV channel 2, was allotted channel 17 for post-transition operations. WKYC-TV, Inc. ("WKYC") filed a comment in this proceeding stating that the request for channel 17 was referred to Canada for coordination and that Canada has responded by specifying a revision to the parameters that it requests for WKYC.³¹⁰ WKYC advises the Commission that the parameters specified by Canada are acceptable to WKYC.³¹¹ We have revised Appendix B herein for WKYC to conform to the parameters negotiated with Canada.³¹²

J. Antenna Information

133. We deny the petitions for reconsideration filed on behalf of the following stations seeking to add antenna identification numbers to Appendix B: KPLC, Lake Charles, LA; WFIE, Evansville, IN. These stations request that we change Appendix B to include antenna identification numbers for these stations and state that the stations will be operating with omnidirectional antennas.³¹³ In developing Appendix B, we did not include antenna identification numbers for stations operating with an omnidirectional antenna. An omnidirectional antenna provides the same power level in every azimuthal direction and antenna identification numbers are only used for directional antennas in order to determine the different power levels in each direction. Accordingly, consistent with our treatment of similar requests in the *Seventh Report and Order*,³¹⁴ we decline to add an antenna identification number to
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2007, at 1-3 (KRBK, Osage Beach, MO, a singleton station on analog channel 49 will flashcut to digital operations on channel 49).

³⁰⁸ See *supra* note 40.

³⁰⁹ See *Third DTV Periodic Report and Order*, Section V.E., ¶ 151.

³¹⁰ See Comment of WKYC-TV, Inc., filed Oct. 25, 2007, at 1.

³¹¹ *Id.* at 2.

³¹² Specifically, Canada requested that the directional antenna pattern for the WKYC allotments be modified to specify a relative field value of 50 percent over the arc from 310° to 40° relative to True North. *Id.* at Engineering Statement.

³¹³ See Petition for Clarification or Reconsideration of Raycom Media, Inc., filed October 26, 2007, at 5 (KPLC and WFIE).

³¹⁴ See *Seventh Report and Order*, 22 FCC Rcd at 15614, ¶ 81.

Appendix B where the petition indicates the station will be operating omnidirectionally and our database indicates that the station is authorized for an omnidirectional antenna.

K. Other Requests

134. WBOY, Clarksburg, WV. We deny the request of West Virginia Media Holdings, LLC (“WVMH”), licensee of WBOY, channel 12 and the permittee of WBOY-DT, channel 52, Clarksburg, WV. WBOY-DT was allotted channel 12 in the DTV Table in the *Seventh Report and Order*.³¹⁵ WVMH notes that in the *Seventh Report and Order* the Commission allotted technical facilities for WMFD-DT, Channel 12, Mansfield, Ohio, that WVMH claims will cause interference to WBOY-DT at “levels many times in excess of the applicable 0.1 percent limit on new interference.”³¹⁶ In the *Seventh Report and Order*, Mid-State Television, Inc. (Mid State) had requested that its allotment for WMFD-DT be modified to specify facilities it had included in an April 2005 amendment to its maximization application. The Commission approved this change, allotted Channel 12 for WMFD-DT, and acknowledged that this modification would result in 0.44 percent interference to WBOY-DT.³¹⁷ The Commission explained that this allotment was “the result of a negotiated solution with Canada to resolve international coordination issues.”³¹⁸ The Commission also found that WVMH had not filed comments opposing WMFD’s proposed change to Appendix B.³¹⁹

135. In its Petition for Reconsideration, WVMH argues that it had no notice that WBOY-DT might be adversely affected by this change.³²⁰ WVMH argues that the increase in ERP from 13 kW to 14 kW is not essential to the Canadian concurrence with the WMFD-DT allotment facilities. WVMH maintains it was Mid State’s amendment to include a directional antenna that resolved the Canadian concerns.³²¹ WVMH submits an engineering statement and claims that the excessive interference caused to WBOY-DT can be reduced.³²²

136. In its opposition, Mid State states that WVMH’s petition for reconsideration “raises no issues not previously considered fully by the Commission, nor does it provide any support for reversal of the Commission’s considered decision in this matter.”³²³ Mid State argues that the public interest and equities support maintaining the WMFD-DT allotment due to Canadian concurrence and “the limited impact of the projected interference alleged.”

137. We agree that WVMH’s petition fails to demonstrate error in our previous decision. Nor does WVMH’s petition raise any new issues or evidence not previously considered. In the *Seventh Report and Order*, we found that the public interest would be served by allotting the changed facilities for WMFD-DT.³²⁴ We continue to believe that this was the correct allotment for this station. As we

³¹⁵ *Id.* at 15647, App. A.

³¹⁶ WVMH, LLC Petition for Reconsideration, filed Oct. 26, 2007, at 1.

³¹⁷ *Seventh Report and Order*, 22 FCC Rcd at 15606, ¶ 60.

³¹⁸ *Id.* at 15606-7, ¶ 61.

³¹⁹ *Id.*

³²⁰ WVMH Petition for Reconsideration, filed Oct. 26, 2007, at 4.

³²¹ *Id.*

³²² *Id.* (citing Exhibit E, Engineering Statement by Cohen, Dippell, and Everist, P.C.)

³²³ Mid State Opposition, filed Nov. 30, 2007, at 2.

³²⁴ *Seventh Report and Order*, 22 FCC Rcd at 15606-07, ¶ 61.

previously found, the change requested by Mid State was the result of a negotiated solution with Canada to resolve international coordination issues that prohibited operation of the facility proposed in the application pending at the time of certification and to which Mid State certified on FCC Form 381. Stations like WMFD-DT face international coordination issues that provide unique challenges in completing the digital transition. Resolving border area conflicts often involves compromises and multiple adjustments. Contrary to WVMH position, the agreement reached between the U.S. and Canada included both the DA pattern and the power of 14kW. We could have satisfied Canada's concern by agreeing to reduce the WMFD-DT power to a very low level (for example 1 kW or less), but the U.S. public would have suffered by receiving significantly less service from WMFD-DT. The facilities approved for WMFD-DT are based on its amended application for CP which met the pre-transition interference standard and was previously granted.³²⁵ WMFD is remaining on its pre-transition channel 12 and in the channel election process we have generally allowed such DTV stations to be approved for post-transition operation with authorized pre-transition facilities. WVMH's petition for reconsideration is denied.

138. KPRY, Pierre, SD. We grant the request of Hoak Media, LLC ("Hoak"), licensee of KPRY, channel 4, and KPRY-DT, channel 19, Pierre, SD, which was allotted channel 19 for post-transition operations in the DTV Table in the *Seventh Report and Order*.³²⁶ In that Order, the Commission grouped station requests into several categories before acting upon them. The Commission placed KPRY-DT in Category 1 along with other stations proposing to modify their certified facilities to match their authorized or constructed facilities.³²⁷ Hoak claims that KPRY-DT should have been grouped in Category 2 along with stations that anticipate filing a request for change to their station's parameters in the future, but that did not yet have all of the information necessary to request such a change.³²⁸ Hoak points out that in the *Seventh Further Notice*, Appendix B proposed 1000 kW at 378 meters HAAT as KPRY-DT's post-transition allotment while KPRY-DT's existing DTV license specified 61 kW at 347 meters HAAT. In its comments, Hoak indicated that it planned to apply in the future for an ERP for KPRY-DT between its licensed 61 kW and authorized 1000 kW.³²⁹ Instead, Hoak maintains that the Commission erroneously placed KPRY-DT in Category 1 and erroneously revised Appendix B to match KPRY-DT's current license—61 kW—instead of the allotted 1000 kW.³³⁰ Hoak claims that 61 kW is too little power for it to replicate. On reconsideration, we grant KPRY-DT's request for Appendix B facilities of 1000 kW and 378 m HAAT.³³¹ Hoak may submit an application to specify a lower power and antenna height as noted in its comments.³³²

³²⁵ See BPCDT- 20040526ABT.

³²⁶ See *Seventh Report and Order*, 22 FCC Rcd at 15647, App. A.

³²⁷ *Id.* at 15597, ¶ 38.

³²⁸ Hoak Media, LLC Petition for Reconsideration, filed Oct. 10, 2007, at 2-3.

³²⁹ Hoak Media, LLC Comments, filed Jan. 25, 2007, at 10-11.

³³⁰ Hoak Petition for Reconsideration at 4; See also Hoak Media, LLC Supplement to Petition for Reconsideration, filed Jan. 31, 2008.

³³¹ See *infra* Appendix B – DTV Table of Allotments Information.

³³² In the *Third DTV Periodic Report and Order*, the Commission permitted stations filing applications to implement their final DTV facilities to make changes to their final DTV facilities as long as their modified facilities are no more than five percent smaller than those specified in the post-transition DTV Table Appendix B (with respect to predicted population). See *Third DTV Periodic Report and Order*, Section V.D., at ¶ 140.

139. KFJX, Pittsburg, KS. We grant the petition for partial reconsideration filed by KFJX. Surtsey Media, LLC (“Surtsey”), licensee of analog singleton station KFJX, channel 14, Pittsburg, KS, was allotted channel 13 for post-transition operations in the DTV Table in the *Seventh Report and Order*.³³³ In that Order, the Commission granted KFJX’s request to change its TCD from 14 to 13.³³⁴ Surtsey filed a petition for reconsideration requesting that Appendix B be revised to match the facilities of KOAM, a related station in the Pittsburg, KS market with which KFJX currently shares facilities.³³⁵

140. According to Surtsey, it requested the change in TCD in part because of interference issues on channel 14 and in part because it has the opportunity to acquire the channel 13 facilities of KOAM-DT in Pittsburg, which is moving off of channel 13 to another channel post-transition.³³⁶ Surtsey argues that permitting KFJX to take over the facilities of an existing, operating DTV station is consistent with the Commission’s goal of facilitating a smooth, efficient transition as otherwise Surtsey would have to acquire new equipment to install at its currently specified site while KOAM would have to discard its equipment once the transition occurs. Instead, Surtsey requests that its digital allotment be modified to reflect the existing KOAM-DT facilities. Surtsey acknowledges, however, that the non-directional KOAM antenna at the requested power would extend the KFJX-DT signal beyond the KFJX analog footprint, thereby violating the filing freeze. KFJX requests that the freeze be waived in view of the public interest considerations it argues are present in this case.³³⁷ Alternatively, Surtsey’s petition states that it would accept modifications to Appendix B for KFJX to specify the KOAM antenna site, antenna type and antenna height but at a reduced power in order to shrink the resulting service area into the KFJX analog footprint.³³⁸ Surtsey states that it would accept this restriction on its initial digital allotment as long as it was permitted to increase its power prior to February 17, 2009 (the final digital transition date) to the level currently utilized by KOAM.³³⁹

141. We agree that public interest considerations warrant granting Surtsey’s request to change Appendix B for KFJX to specify the KOAM antenna site, antenna height, and antenna type.³⁴⁰ Specification of these parameters will permit Surtsey to utilize the KOAM equipment, thereby facilitating the transition for KFJX. We will therefore grant Surtsey’s request for the exact coordinates, antenna type, and height, which are currently used by KOAM for its antenna.³⁴¹ We agree with Surtsey that these parameters will allow KFJX to operate using KOAM’s facility, thus speeding the transition process, reducing costs, and eliminating the need for new equipment or coordination with tower crews.³⁴²

³³³ See *Seventh Report and Order*, 22 FCC Rcd at 15647, App. A.

³³⁴ See *Seventh Report and Order*, 22 FCC Rcd at 15610-12, ¶¶ 72-74 and App. D4.

³³⁵ See Petition for Partial Reconsideration of Surtsey Media, LLC, filed Oct. 2, 2007, at 3, 5, n.3, and 7. Specifically, Surtsey requests that Appendix B for KFJX be changed to increase ERP from 3.2 to 6 kW, increase HAAT from 163 to 302.4 meters, change antenna ID from 80187 to specify a non-directional antenna, and change coordinates to match the location of the KOAM facility. *Id.* at 7.

³³⁶ *Id.* at 2. KOAM is moving to its analog channel 7 for post-transition operations.

³³⁷ *Id.* at 3-4.

³³⁸ *Id.* at 3, 6. According to Surtsey, this would require an initial ERP of 170 watts, which would result in a population loss of 9.5 percent over KFJX’s original TCD population. *Id.* at 6.

³³⁹ *Id.*

³⁴⁰ See *infra* Appendix B – DTV Table of Allotments Information.

³⁴¹ See Petition for Partial Reconsideration of Surtsey Media, LLC, filed Oct. 2, 2007, at 6.

³⁴² *Id.* at 5.

Surtsey's petition reflects the licensee's appreciation that, at this time, Appendix B will specify an ERP that will maintain the station's coverage area within its analog coverage area.³⁴³ Moreover, as the Commission concluded in the *Third DTV Periodic Review Report and Order*, and as noted in Surtsey's petition, the Commission is not lifting the filing freeze at this stage in the transition for any stations.³⁴⁴ We are, however, expecting that the freeze will be lifted later this year to enable Surtsey to apply to increase the ERP for KFJX. As Surtsey's Petition recognizes, to waive the freeze now to permit KFJX to increase power before the filing freeze is lifted for all stations, would permit Surtsey to step ahead of other stations that are waiting for the proper time to request to maximize.³⁴⁵ Indeed, there are other stations that are moving to a channel vacated by another station that would like to immediately operate the facilities of the existing station.³⁴⁶ As discussed above, to permit such a step would expand these stations' coverage, unfairly disadvantaging other stations in these markets that would like to expand on their existing stations.

142. Surtsey need not wait until the freeze is lifted to request expanded coverage. Stations that are moving to a different channel, as KFJX is doing, may file now to request a waiver of the freeze for up to five miles, where, as here, the increase is necessary to better serve current analog viewers, and where the modification would not cause more than 0.5 percent new interference to any other station. Thus, KFJX, and other similarly situated stations may build upon the changes we have made to the Appendix B facilities to apply for larger area.

143. WSJV, Elkhart, IN. We grant the petition for reconsideration filed on behalf of WSJV. WSJV Television, Inc. ("WSJV"), licensee of WSJV, channel 28, and WSJV-TV, channel 58, was allotted channel 28 for post-transition operations in the DTV Table in the *Seventh Report and Order*.³⁴⁷ In that Order, the Commission revised Appendix B for WSJV to conform to that stations' DTV authorization on channel 58.³⁴⁸ WSJV filed a petition for reconsideration requesting that the Commission instead revise Appendix B to permit the station to use the existing directional antenna system of its analog facility.³⁴⁹ WSJV explains that, when the original DTV Table was created, an inaccuracy in the orientation of the directional antenna system that existed on WSJV's analog license prior to December 1999 was carried over to the station's associated digital channel 58 allotment.³⁵⁰ The station subsequently resolved the inaccuracy in the station's analog antenna orientation on the analog license, but could not eliminate the discrepancy that was built into the original DTV Table. WSJV elected to return to its in-core analog channel for post-transition use and, based on its certification of replication, the Commission relied on the initial channel 58 allotment parameters to compute the WSJV facilities on channel 28 on Appendix B. These facilities were therefore based on the incorrect antenna pattern rotation.

144. We will change Appendix B for WSJV to reflect the correct antenna pattern rotation. Those changes are reflected on Appendix B, herein.

³⁴³ *Id.* at 6-7.

³⁴⁴ See *Third DTV Periodic Report and Order*, Section V.E., ¶ 148.

³⁴⁵ See Petition for Partial Reconsideration of Surtsey Media, LLC, filed Oct. 2, 2007, Engineering Statement of John F.X. Brown.

³⁴⁶ See, e.g., *supra* ¶¶ 111-112 (discussion of KCBS, Los Angeles, CA).

³⁴⁷ See *Seventh Report and Order*, 22 FCC Rcd at 15647, App. A.

³⁴⁸ *Id.* at 15682, Appendix D2.

³⁴⁹ See Petition for Reconsideration of WSJV Television, Inc., filed Oct. 26, 2007 at 1.

³⁵⁰ *Id.* at 2.

IV. EIGHTH REPORT AND ORDER

145. In the *Eighth Further Notice* we sought comment on tentative channel designations (“TCDs”) and technical facilities for three new permittees that had recently attained permittee status.³⁵¹ We also identified a number of other revisions to the DTV Table and Appendix B advanced by commenters in either reply comments or late-filed comments to the *Seventh Further Notice*, and we analyzed these revisions and submitted proposals upon which we invited public comment.³⁵²

146. As we stated in the *Third DTV Periodic Report and Order*, stations that need to request authority to construct or modify their post-transition facilities must file construction permit (CP) or modification applications.³⁵³ In that Order and in a recently adopted Public Notice,³⁵⁴ the Commission established the deadlines and procedures for filing such applications. These deadlines and procedures apply to the stations discussed below that have been granted a post-transition allotment herein.

A. New Permittees

147. The Commission established a separate pleading cycle in the *Eighth Further Notice*³⁵⁵ to give interested parties an opportunity for comment on three new permittees that had recently attained permittee status: Entravision Holdings, LLC, in Pueblo, Colorado (analog channel 48), Richland Reserve, LLC, in Greeley, Colorado (digital channel 45), and Northwest Television, Inc., in Galesburg, Illinois (digital channel 53).³⁵⁶ We proposed specific technical facilities and parameters, with predicted service areas and population coverages at which these stations would operate post-transition,³⁵⁷ and we now adopt our proposals to the extent they are unopposed.

148. Entravision Holdings, LLC, Pueblo, CO. We found that post-transition operations for Entravision on channel 48 in Pueblo would create no additional interference, and we proposed channel 48 as this station’s TCD.³⁵⁸ We received no comments in response to this proposal and accordingly will now grant the modification to the post-transition DTV Table and Appendix B to reflect this new allotment.³⁵⁹

149. Northwest Television, Inc., Galesburg, IL. With respect to new permittee Northwest Television in Galesburg, IL, our engineering analysis determined that channel 8 was the best available post-transition channel because this channel created no new interference to the TCD of any other full-

³⁵¹ *Eighth Further Notice*, 22 FCC Rcd at 15636, ¶ 139.

³⁵² *Id.*

³⁵³ See *Third DTV Periodic Report and Order*, Section V.D., ¶ 135. See also 47 C.F.R. §§ 73.1690(b), 73.3533(a), 73.3538.

³⁵⁴ See Public Notice, “*Third DTV Periodic Report and Order* Published in Federal Register Today; FCC Forms 301 and 340 Now Available for Filing for Post-Transition CP Applications; FCC Form 387, Transition Status Report, Available and Due February 19, 2008; Expedited Processing of CP Applications Available Until March 17,” DA No. 08-172 (rel. Jan. 30, 2008) (“*Third Periodic Forms Effective PN*”).

³⁵⁵ See *Eighth Further Notice*, 22 FCC Rcd at 15637-38, ¶ 140 and 15644-45, ¶ 163.

³⁵⁶ *Id.* at 15637-38, ¶ 140.

³⁵⁷ *Id.*

³⁵⁸ *Id.*

³⁵⁹ See *infra* Appendix A – Rule Changes (Post-Transition DTV Table of Allotments) and Appendix B – DTV Table of Allotments Information.

power station, and the only interference was received by Class A Station WQFL-CA, Rockford, IL.³⁶⁰ However, WQFL had an application for a minor modification to its license pending, the grant of which eliminated the interference from channel 8 but necessitated a waiver of the filing freeze.³⁶¹ In order to locate an interference-free post-transition channel for Galesburg, we proposed to grant WQFL-CA a waiver of the filing freeze and to grant the WQFL-CA modification application, thereby resolving any potential interference.³⁶² We received no comments with respect to either of these proposals, and accordingly we will make the necessary adjustments to the DTV Table and Appendix B.³⁶³

150. Richland Reserve, Greeley, CO. Although Richland Reserve was allotted channel 45 for pre-transition digital operation our analysis indicated that, post-transition, channel 45 for Richland in Greeley would have caused 0.3 percent new interference.³⁶⁴ Therefore, we proposed channel 49 as the TCD of Richland.³⁶⁵ Richland contests our proposal, and in its comment it requests that the DTV Table be amended to specify DTV channel 38 as its post-transition TCD instead of channel 49.³⁶⁶ Richland asserts that, because the *Eighth Further Notice* proposed channel 48 as the TCD for *Entravision Holdings, LLC*, in Pueblo Colorado (analog channel 48), the channel 48 TCD for Entravision will receive 0.8 percent interference from the Commission's currently proposed 49 TCD for Richland.³⁶⁷ Richland points out that using its substitute proposal of channel 38 as its TCD will eliminate all interference concerns, and that it would file a construction permit to reflect this change.³⁶⁸ The Commission has determined that Richland's proposed use of channel 38 is acceptable, and we will make the necessary adjustments to the DTV Table and Appendix B.³⁶⁹

B. Late Filed Requests for Changes to the Table of Allotments and Appendix B

151. Several stations filed late requests after the close of the reply comment period of the *Seventh Further Notice*; seeking revisions to the proposed DTV Table and Appendix B.³⁷⁰ Where the proposed changes to the DTV Table and/or Appendix B could affect other stations, we determined that it was appropriate to seek public comment on these late requests.³⁷¹

1. Requests to Make Changes that Meet the Interference Criteria

152. We stated in the *Seventh Report and Order* that we would permit stations to change their

³⁶⁰ See *Eighth Further Notice*, 22 FCC Rcd at 15637-38, ¶ 140.

³⁶¹ *Id.*

³⁶² *Id.*

³⁶³ See *infra* Appendix A – Rule Changes (Post-Transition DTV Table of Allotments) and Appendix B – DTV Table of Allotments Information.

³⁶⁴ See *Eighth Further Notice*, 22 FCC Rcd at 15637-38, ¶ 140.

³⁶⁵ *Id.*

³⁶⁶ See Comment of Richland Reserve, LLC, filed Oct. 10, 2007, at 3.

³⁶⁷ *Id.* at 2.

³⁶⁸ *Id.*

³⁶⁹ See *infra* Appendix A – Rule Changes (Post-Transition DTV Table of Allotments) and Appendix B – DTV Table of Allotments Information.

³⁷⁰ See *Eighth Further Notice*, 22 FCC Rcd at 15638, ¶ 141.

³⁷¹ *Id.*

facility certifications (FCC Form 381), and thus our post-transition DTV Table Appendix B, where such stations have demonstrated that such modification of their facilities would conform to licensed or authorized facilities and where the proposed change to the Appendix B facilities either met the 0.1 percent interference criterion (i.e., the proposed change would not result in interference in excess of 0.1 percent to any licensee's existing TCD) or the station affected agreed to accept the interference.³⁷² We proposed two such changes in the *Eighth Further Notice*. One of these requests has been withdrawn,³⁷³ and we grant the other request.

153. WDCA, Washington, DC. Fox Television Stations, Inc., ("Fox"), licensee of station WDCA-TV, channel 20, and WDCA-DT, channel 35, Washington DC, received channel 35 for its TCD in the proposed DTV Table.³⁷⁴ Fox filed late comments requesting that the Commission modify Appendix B to reflect WDCA's actual, authorized facilities.³⁷⁵ WDCA-DT has a CP that specifies facilities at its main studio where WDCA-DT is currently "located, authorized and operating," and WDCA-DT has applied for a license to cover that CP.³⁷⁶ As noted by Fox, previous engineering analysis had indicated that this location and these parameters caused no impermissible interference, and the Commission proposed granting this request.³⁷⁷ As no comments were received in response, the Commission will adjust Appendix B accordingly to reflect WDCA's authorized facilities.³⁷⁸

2. Requests for Modified Coverage Area

154. As we explained in the *Seventh Report and Order*, we have granted requests of stations whose post-transition DTV channel is different from their pre-transition DTV channel, who are returning to their analog channel for post-transition operations, and whose proposed Appendix B facilities would not permit them to replicate their station's analog grade B contour, or who are seeking changes to specific parameters to permit these stations to serve more of the area served by the station's analog facilities.³⁷⁹ In response to such comments, we recalculated Appendix B facilities for stations based on replicating their analog coverage which was used to determine their initial DTV facilities, and typically granted the benefit of the larger coverage area resulting from our calculations, whether that turned out to be the station's initially proposed Appendix B facility, or the larger coverage area resulting from our calculations

³⁷² *Seventh Report and Order*, 22 FCC Rcd at 15598, ¶ 39.

³⁷³ Fox Television Stations of Philadelphia, Inc. ("Fox Philadelphia"), licensee of station WTXF-TV, channel 29, and WTXF-DT, channel 42, Philadelphia, PA, received channel 42 as its TCD. *See Seventh Further Notice*, 21 FCC Rcd at 12123, App A; *Seventh Report and Order*, 22 FCC Rcd at 15647, App A. In late filed comments, Fox Philadelphia requested a revision to Appendix B parameters to match its CP for its authorized facility which would replicate its analog facilities. *See Comments of Fox Television Stations of Philadelphia, Inc.*, filed June 19, 2007; *see also* BPCDT-20020424AZ; BCERCT-20041104AHH. Subsequently, Fox Philadelphia filed a request to withdraw its comments and requested that Appendix B as adopted remain unchanged. Brief Comment of Fox Television Stations of Philadelphia, Inc., filed Oct. 18, 2007. Because Fox has withdrawn its request, we will continue to rely upon facilities and parameters we specified for it in the *Seventh Report and Order*.

³⁷⁴ *See Seventh Further Notice*, 21 FCC Rcd at 12123, App. A.

³⁷⁵ *See Comments of Fox Television Stations, Inc.*, filed June 26, 2007, at 1-2.

³⁷⁶ *Id.*

³⁷⁷ *See Eighth Further Notice*, 22 FCC Rcd at 15639, ¶ 143.

³⁷⁸ *See infra* Appendix B.

³⁷⁹ *Seventh Report and Order*, 22 FCC Rcd at 15607-08, ¶¶ 62-65.

provided our interference standards were met.³⁸⁰ This process was designed to meet our goal for ensuring that audiences previously served by stations continued to receive those stations.³⁸¹ We applied this methodology below and grant the request with respect to KOAM.

155. **KOAM, Pittsburgh, KS.** Saga Quad States Communications (“Saga”), licensee of station KOAM-TV, channel 7, and KOAM-DT, channel 13, Pittsburg, KS, received channel 7 for its TCD in the proposed DTV Table.³⁸² In a comment to the *Seventh Further Notice*, Saga proposed parameter changes in order to more closely replicate its analog Grade B contour than it was capable of doing with its current Appendix B parameters.³⁸³ Having analyzed Saga’s request and recalculated its Appendix B facilities based upon replicating the analog coverage that was used to determine KOAM-DT’s initial DTV facilities, we solicited comments on our proposal to grant Saga’s request and to adjust KOAM’s facilities in Appendix B.³⁸⁴ In comments filed in response to the *Eighth Further Notice*, Saga supports the Commission’s proposal, and no reply comment has been filed. Accordingly, we will make the proposed change to Appendix B.³⁸⁵

3. Requests for Alternative Channel Assignments

156. We grant the requests of four stations for alternative channel assignments in conformance with the standards set out in the *Seventh Further Notice*.³⁸⁶ The Commission in that *Notice* stated that licensees that want to change their DTV allotment, but which are not in any of the specified acceptable categories (i.e., are technically able to construct their full, authorized DTV facilities on their existing TCD) may request a change in allotment only after the DTV Table is finalized and must do so through the existing allotment procedures.³⁸⁷ Those requests for an alternative channel assignment that we can consider must either meet the 0.1 percent additional interference standard or be accompanied by a request for a waiver of the 0.1 percent limit or the signed written consent of the affected licensee.³⁸⁸ The

³⁸⁰ *Id.* at 15608-09, ¶ 66.

³⁸¹ *Id.* at 15609, ¶ 67.

³⁸² *See Seventh Further Notice*, 21 FCC Rcd at 12123, App. A.

³⁸³ *See Comments of Saga Quad States Communications, LLC*, filed Mar. 27, 2007, at 3-4.

³⁸⁴ *See Eighth Further Notice*, 22 FCC Rcd at 15639, ¶ 144 and App. G.

³⁸⁵ *See infra* Appendix B – DTV Table of Allotments Information.

³⁸⁶ We consider requests for alternative channel assignments only from the following:

- (1) licensees unable to construct full, authorized DTV facilities on the TCDs that they requested and received because, in order to avoid causing impermissible interference to other TCDs and still obtain their preferred channel, they had to agree to construct facilities on their TCD that are smaller than those to which they had certified on FCC Form 381, (2) licensees with international coordination issues which the Commission has been unable to resolve with the Canadian and Mexican governments, (3) licensees with TCDs for low-VHF channels (channels 2-6); and (4) new licensees and permittees that attained such status after the start of the channel election process and to which we assigned a TCD for post-transition DTV operations because their assigned NTSC or DTV channel was determined to cause impermissible interference to existing licensees.

See Seventh Further Notice, 21 FCC Rcd at 12109, ¶ 25.

³⁸⁷ *Id.* Stations may request channel substitutions after the freeze on such requests is lifted. Such substitution requests will be evaluated based on the interference standard adopted in the *Third DTV Periodic Report and Order*, Section V.E., ¶ 151.

³⁸⁸ *Id.* at 12109, ¶ 26.

Commission stated that it would grant waivers of the 0.1 percent limit where doing so would promote overall spectrum efficiency and ensure the best possible service to the public, including service to local communities.³⁸⁹

157. Adoption of stations' channel change requests may not mean that we are adopting every parameter requested by the station. Stations should file the necessary applications for a construction permit in light of the procedures adopted in the *Third DTV Periodic Report and Order* to finalize parameters with respect to their build-out on their new channel.

158. KOLO, Reno, NV. Gray Television Licensee, Inc. ("Gray"), licensee of station KOLO-TV, channel 8, and KOLO-DT, channel 9, Reno, NV, received channel 9 for its TCD in the proposed DTV table.³⁹⁰ Gray currently broadcasts from the same antenna on its NTSC channel 8 and DTV channel 9.³⁹¹ Gray filed a late request that KOLO's TCD be changed to permit it to operate post-transition on its NTSC channel 8 due to concerns that its antenna was optimized for channel 8.³⁹² We proposed granting this request upon finding no additional interference from the proposed change.³⁹³ In a comment filed in response to our *Eighth Further Notice*, KOLO supports the Commission's proposal,³⁹⁴ and as no other comments were filed, we will make the approved change to Appendix B and the DTV Table to reflect KOLO's facilities on channel 8.³⁹⁵

159. WEHT, Evansville, IN. Gilmore Broadcasting Corp. ("Gilmore"), licensee of station WEHT, channel 25, and WEHT-DT, channel 59, Evansville, IN, received channel 25 for its TCD.³⁹⁶ Gilmore filed reply comments to the *Seventh Further Notice* asserting that WEHT could not serve its entire analog coverage area using the channel designation and parameters listed in the proposed DTV Table and Appendix B.³⁹⁷ Gilmore requested a change in its TCD to channel 7 and adjustment to its parameters on Appendix B,³⁹⁸ and we proposed granting this request upon finding no additional interference from the proposed change.³⁹⁹ Gilmore filed comments supporting the proposed change,⁴⁰⁰ and no other comments were filed. Accordingly we will make the necessary change to the DTV Table and Appendix B to reflect the change in WEHT's use of channel 7 facilities.⁴⁰¹

³⁸⁹ *Id.*

³⁹⁰ See *Seventh Further Notice*, 21 FCC Rcd at 12123, App. A.

³⁹¹ Comment of Gray Television Licensee, Inc., filed Oct. 10, 2007, at 1.

³⁹² See Comment of Gray Television Licensee, Inc., filed June 18, 2007, at 2.

³⁹³ See *Eighth Further Notice*, 22 FCC Rcd at 15639-40, ¶ 145.

³⁹⁴ See Comment of Gray Television Licensee, Inc., filed Oct. 10, 2007, at 3.

³⁹⁵ See *infra* Appendix A – Rule Changes (Post-Transition DTV Table of Allotments) and Appendix B – DTV Table of Allotments Information.

³⁹⁶ See *Seventh Further Notice*, 21 FCC Rcd at 12123, App. A.

³⁹⁷ See Reply Comment of Gilmore Broadcasting Corp., filed Feb. 26, 2007, at 1-2.

³⁹⁸ *Id.* at 2.

³⁹⁹ See *Eighth Further Notice*, 22 FCC Rcd at 15640, ¶ 146.

⁴⁰⁰ See Comment of Gilmore Broadcasting Corp., filed Oct. 10, 2007, at 5.

⁴⁰¹ See *infra* Appendix A – Rule Changes (Post-Transition DTV Table of Allotments) and Appendix B – DTV Table of Allotments Information.

160. KTRV, Nampa, ID. Idaho Independent Television, Inc. (“IIT”), licensee of KTRV-TV, and KTRV-DT, Nampa, ID, received channel 12 for its TCD in the proposed DTV Table.⁴⁰² IIT filed comments seeking to retain its existing DTV facilities and requesting revision to Appendix B to reflect that retention, but also seeking a channel change to 13 as its new TCD as well as an antenna ID change.⁴⁰³ We proposed to grant IIT’s request after studying KTRV’s post-transition operation on channel 13.⁴⁰⁴ IIT filed comments and reply comments, both supporting the Commission’s proposal and yet asking for a change in antenna ID number,⁴⁰⁵ and no reply or opposition was filed. We shall therefore substitute channel 13 for channel 12 as the TCD for post-transition use by KTRV-DT in both the DTV Table and Appendix B.⁴⁰⁶ We note that the lack of an antenna ID in Appendix B for KTRV indicates that KTRV is not using a directional antenna, which is consistent with our records for this station.⁴⁰⁷ Therefore, we are continuing not to specify an antenna ID for this station.⁴⁰⁸

161. WUOA, Tuscaloosa, AL. The Board of Trustees of The University of Alabama (“the University”), singleton licensee of analog station WUOA, channel 23, Tuscaloosa, AL, received 23 as its TCD in the proposed DTV Table.⁴⁰⁹ The University filed a Supplement to its Comments in June 2007, seeking a change to a low VHF channel 4 or channel 6 post-transition allotment with new coordinates and parameters due to limited resources of the University.⁴¹⁰ We proposed replication facilities for WUOA on channel 6 as this showed no additional interference.⁴¹¹ The University filed comments supporting the proposed replication facility on channel 6, but seeking a correction to its azimuthal pattern through utilization of a non-directional antenna.⁴¹² No other comments were filed and we grant the University’s request and make the necessary changes to the DTV Table and Appendix B to reflect the facilities on channel 6.⁴¹³ We have corrected the tabulation of antenna ID 80096 to eliminate the incorrect null at N 100.0° E and have substituted the correct relative field value of 0.717.⁴¹⁴ However, we deny the University’s request for a change in its technical parameters to reflect use of a non-directional antenna. The University can request use of a non-directional antenna when it files its application in accordance

⁴⁰² See *Seventh Further Notice*, 21 FCC Rcd at 12123, App. A.

⁴⁰³ See Comments of Idaho Independent Television, Inc. (“IIT”), filed July 17, 2007, at 1.

⁴⁰⁴ See *Eighth Further Notice*, 22 FCC Rcd at 15640, ¶ 147.

⁴⁰⁵ See Comment of Idaho Independent Television, Inc., filed Oct. 10, 2007, at 2; Reply Comments of Idaho Independent Television, Inc., filed on Oct. 25, 2007, at 2.

⁴⁰⁶ See *infra* Appendix A – Rule Changes (Post-Transition DTV Table of Allotments) and Appendix B – DTV Table of Allotments Information.

⁴⁰⁷ See *Eighth Further Notice*, 22 FCC Rcd at 15640, n.405.

⁴⁰⁸ See *infra* Appendix B – DTV Table of Allotments Information.

⁴⁰⁹ See *Seventh Further Notice*, 21 FCC Rcd at 12123, App. A.

⁴¹⁰ See Supplement of The Board of Trustees of the University of Alabama, filed June 1, 2007, at 2-4. In the alternative, the University had sought replication facilities on channel 4 or 6. *Id.* at 4 n.2.

⁴¹¹ See *Eighth Further Notice*, 22 FCC Rcd at 15640-1, ¶ 148.

⁴¹² See Comment of The Board of Trustees of The University of Alabama, filed Oct. 10, 2007, at 1-2.

⁴¹³ See *infra* Appendix A – Rule Changes (Post-Transition DTV Table of Allotments) and Appendix B – DTV Table of Allotments Information.

⁴¹⁴ See *infra* Appendix B – DTV Table of Allotments Information.

with the *Third DTV Periodic Report and Order*. Pursuant to the *Third DTV Periodic Report and Order*, the University will be eligible to cause up to 0.5 percent new interference to protected stations in addition to that in the DTV Table Appendix B, and because the University has received a new post-transition DTV channel, it will also be able to specify facilities that are up to five miles larger in any direction than the station's authorized service area defined in Appendix B.

4. Other Requests

162. WPCW, Jeannette, PA. We adopt the proposed channel change for WPCW. CBS Corporation ("CBS"), parent company of the licensee of WPCW, channel 19, and applicant for construction permit for a DTV station on channel 49, Jeannette, PA, received channel 49 for its TCD in the proposed DTV Table.⁴¹⁵ In comments filed in response to the *Seventh Further Notice*, CBS requested an adjustment in Appendix B to reflect a change in parameters approved by the Commission in its 2006 decision substituting channel 49 for 30 as WPCW's digital frequency and reallocating channel 49 from Johnstown, PA to Jeannette, PA.⁴¹⁶ Larry L. Schrecongost ("Schrecongost"), licensee of Class A television Station WLLS-CA, channel 49, Indiana, PA, had opposed the CBS request and argued that the proposed DTV Table should have specified channel 30 rather than channel 49 for WPCW because operation on channel 49 would have caused interference to WLLS-CA in violation of the Community Broadcasters Protection Act of 1999.⁴¹⁷ The Commission found that WPCW's operations on channel 49 would have caused impermissible interference to two stations⁴¹⁸ and, to resolve the dispute, we proposed to allot channel 11 to WPCW with the site location specified in the *2006 Report and Order*.⁴¹⁹ In a comment filed in response to the *Eighth Further Notice*, CBS supports the proposal to allot it channel 11,⁴²⁰ and accordingly, we will make the requisite changes to the DTV Table and Appendix B to reflect CBS's facilities on this new channel and site.⁴²¹

163. WGNO & WNOL, New Orleans, LA. We grant the request of Tribune and adopt the proposed changes for WGNO and WNOL. Tribune Broadcasting Co., ("Tribune") is licensee of station WGNO, channel 26, and permittee of WGNO-DT, channel 15, New Orleans, LA, which received channel 26 for its TCD in the proposed DTV Table, and licensee of station WNOL, channel 38, and permittee of WNOL-DT, channel 40, New Orleans, LA, which received channel 15 for its TCD in the proposed DTV

⁴¹⁵ See *Seventh Further Notice*, 21 FCC Rcd at 12123, App. A. The licensee of WPCW is Pittsburgh Television Station WPCW, Inc., a wholly owned subsidiary of CBS. See Comments of CBS Corporation on *Seventh Further Notice of Proposed Rulemaking*, filed Jan. 25, 2007, at 8 n.14.

⁴¹⁶ CBS Comments at 10. See *Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Johnstown and Jeannette, Pennsylvania)*, Report and Order, MB Docket No. 05-52, 21 FCC Rcd 1350, 1351, ¶ 4 and 1352, ¶ 6 (2006) ("*2006 Report and Order*"). Jeannette, Pennsylvania had already been approved as WPCW's community of license in the Report and Order in MM Docket No. 97-96, (*Johnstown and Jeannette, Pennsylvania*), 12 FCC Rcd 10300, 10301, ¶ 5 (1997) ("*1997 Report and Order*"). At the issuance of these rulemakings, the station's call signs were WNPA (*2006 Report and Order*) and WTWB (*1997 Report and Order*). We refer to the station herein by its current call sign, WPCW.

⁴¹⁷ See Reply Comments of Larry L. Schrecongost, filed Feb. 26, 2007, at 1.

⁴¹⁸ See *Eighth Further Notice*, 22 FCC Rcd at 15642, ¶ 152.

⁴¹⁹ *Id.* at 15642, ¶ 153 and App. G.

⁴²⁰ See Comments of CBS Corporation on *Eighth Further Notice of Proposed Rule Making*, filed Oct. 10, 2007, at 3-4.

⁴²¹ See *infra* Appendix A – Rule Changes (Post-Transition DTV Table of Allotments) and Appendix B – DTV Table of Allotments Information.

Table.⁴²² Tribune filed reply comments to the *Seventh Further Notice* stating that the analog and digital transmission facilities of both of these stations had been destroyed by Hurricane Katrina.⁴²³ After seeking alternative locations for its DTV operations, Tribune subsequently filed late comments requesting that the DTV allotments and technical parameters for the channels be changed to reflect new operations from the transmitter site of station WDSU, with which it proposed to share an antenna.⁴²⁴ We considered Tribune's request and found that the proposed parameters, while not causing impermissible interference, would have exceeded WGNO and WNOL's respective authorized contours, in violation of the filing freeze.⁴²⁵ Nevertheless, in light of the circumstances resulting from Hurricane Katrina, we proposed to waive the freeze and substitute the technical parameters requested by Tribune for these stations.⁴²⁶ Tribune filed comments supporting our proposal,⁴²⁷ and as no replies or objections were filed, we therefore will modify Appendix B accordingly.⁴²⁸

V. PROCEDURAL MATTERS

A. Memorandum Opinion and Order on Reconsideration

1. Regulatory Flexibility Act

164. Appendix E sets forth the Supplemental Final Regulatory Flexibility Analysis for this *Memorandum Opinion and Order on Reconsideration*, as required by the Regulatory Flexibility Act of 1980, as amended.⁴²⁹

2. Paperwork Reduction Act

165. This *Memorandum Opinion and Order on Reconsideration* was analyzed with respect to the Paperwork Reduction Act of 1995 ("PRA")⁴³⁰ and does not contain any information collection requirements.⁴³¹

3. Congressional Review Act

166. The Commission will include a copy of this *Memorandum Opinion and Order on Reconsideration* in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act.⁴³²

⁴²² See *Seventh Further Notice*, 21 FCC Rcd at 12123, App. A.

⁴²³ See Reply Comments of Tribune Broadcasting Company, filed Jan. 29, 2007, at 5.

⁴²⁴ See *Ex Parte* Comments of Tribune, filed July 23, 2007, at 1-2 and Attachments, Proposed Allotments for WGNO-DT, channel 26, and WNOL-DT, channel 15, Figure 1 and Figure 1 [sic].

⁴²⁵ See *Eighth Further Notice*, 22 FCC Rcd at 15643, ¶ 156.

⁴²⁶ *Id.*

⁴²⁷ See Comments of Tribune Broadcasting Company filed Oct. 10, 2007.

⁴²⁸ See *infra* Appendix B – DTV Table of Allotments Information.

⁴²⁹ See 5 U.S.C. § 604.

⁴³⁰ The Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 109 Stat 163 (1995) (*codified in* Chapter 35 of Title 44 U.S.C.).

⁴³¹ See *Seventh Report and Order*, 22 FCC Rcd at 15643, ¶ 158. See also *Seventh Further Notice*, 21 FCC Rcd at 12119, ¶ 56.

⁴³² See 5 U.S.C. § 801(a)(1)(A).

4. Accessible Formats

167. To request information in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to fcc504@fcc.gov or call the FCC's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document can also be downloaded in Word and Portable Document Format (PDF) at: <http://www.fcc.gov>.

B. Eighth Report and Order

1. Regulatory Flexibility Act

168. Appendix G sets forth the Final Regulatory Flexibility Analysis for this *Eighth Report and Order*, as required by the Regulatory Flexibility Act of 1980, as amended.⁴³³

2. Paperwork Reduction Act

169. This *Eighth Report and Order* was analyzed with respect to the Paperwork Reduction Act of 1995 ("PRA")⁴³⁴ and does not contain any information collection requirements.⁴³⁵

3. Congressional Review Act

170. The Commission will include a copy of this *Eighth Report and Order* in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act.⁴³⁶

VI. ORDERING CLAUSES

171. IT IS ORDERED that, pursuant to the authority contained in Sections 1, 4(i) and (j), 7, 301, 302, 303, 307, 308, 309, 316, 319, 324, 336, and 337 of the Communications Act of 1934, 47 U.S.C §§ 151, 154(i) and (j), 157, 301, 302, 303, 307, 308, 309, 316, 319, 324, 336, and 337, this *Memorandum Opinion and Order on Reconsideration of the Seventh Report and Order and Eighth Report and Order* IS ADOPTED.

172. IT IS FURTHER ORDERED that pursuant to the authority contained in Sections 1, 2, 4(i), 303, 303a, 303b, and 307 of the Communications Act of 1934, 47 U.S.C §§ 151, 152, 154(i), 303, 303a, 303b, and 307, the Commission's rules ARE HEREBY AMENDED as set forth in Appendix A.

173. IT IS FURTHER ORDERED that the rules as revised in Appendix A SHALL BE EFFECTIVE upon publication of this *Memorandum Opinion and Order on Reconsideration of the Seventh Report and Order and Eighth Report and Order* in the Federal Register. We find good cause for the rules adopted herein to be effective upon publication of a summary of this item in the Federal Register to ensure that full power television stations can meet the statutory deadline for transitioning to all-digital service.⁴³⁷

⁴³³ See 5 U.S.C. § 604.

⁴³⁴ The Paperwork Reduction Act of 1995, Pub .L. No. 104-13, 109 Stat 163 (1995) (*codified in Chapter 35 of Title 44 U.S.C.*).

⁴³⁵ See *Eighth Further Notice*, 22 FCC Rcd at 15643, ¶ 161.

⁴³⁶ See 5 U.S.C. § 801(a)(1)(A).

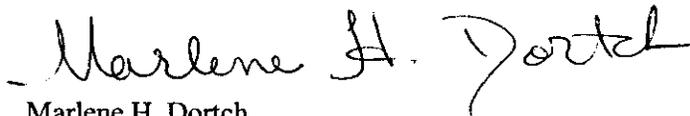
⁴³⁷ See 5 U.S.C. § 553(d)(3) ("The required publication or service of a substantive rule shall be made not less than 30 days before its effective date, except...as otherwise provided by the agency for good cause found and published with the rule."). See also 47 C.F.R. §§ 1.103(a), 1.427(b). As described herein, full power television stations must complete their transition from analog to digital service by February 17, 2009. For stations that filed petitions for (continued....)

174. IT IS FURTHER ORDERED that the petitions for reconsideration or clarification listed in Appendix C ARE GRANTED to the extent provided herein and otherwise ARE DENIED.

175. IT IS FURTHER ORDERED that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, SHALL SEND a copy of this *Memorandum Opinion and Order on Reconsideration and Eighth Report and Order*, including the Supplemental Final Regulatory Flexibility Analysis and Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

176. IT IS FURTHER ORDERED that the Commission SHALL SEND a copy of this *Memorandum Opinion and Order on Reconsideration and Eighth Report and Order* in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, see 5 U.S.C. § 801(a)(1)(A).

FEDERAL COMMUNICATIONS COMMISSION



Marlene H. Dortch
Secretary

(Continued from previous page) _____

reconsideration of the *Seventh Report and Order*, it is essential that these stations have the information contained herein regarding the Commission's action, if any, on their petition so that these stations know their post-transition allotments and can file applications based on those allotments if necessary and have adequate time to order equipment and schedule construction before the transition deadline. Because any delay can result in harm to television stations, and, in turn, to their viewers, we find that there is good cause to expedite the effective date of the rules adopted in this *Memorandum Opinion and Order on Reconsideration and Eighth Report and Order*. The *Third DTV Periodic Review Report and Order*, which adopted rules and procedures for filing and processing applications for post-transition allotments, was also made effective upon publication in the Federal Register so that stations needing to file applications for post-transition facilities, and that had not filed a petition for reconsideration of the *Seventh Report and Order*, could file their applications as quickly as possible. See *Third DTV Periodic Report and Order*, Section VII, ¶ 210.

APPENDIX A

**Rule Changes
(Post-Transition DTV Table of Allotments)¹**

Part 73 of the Commission's Rules and Regulations (Chapter I of title 47 of the Code of Federal Regulations) is amended as follows:

PART 73 -- RADIO BROADCAST SERVICES

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336 and 339.

2. Section 73.622 is amended by adding new paragraph (i) to read as follows:

§ 73.622 Digital television table of allotments.

* * * * *

(i) Post-Transition Table of DTV Allotments.

ALABAMA

Community	Channel No.
Anniston	9
Bessemer	18
Birmingham	*10, 13, 30, 36, 50
Demopolis	*19
Dothan	21, 36
Dozier	*10
Florence	14, 20, *22
Gadsden	26, 45
Gulf Shores	25
Homewood	28
Huntsville	19, *24, 32, 41, 49
Louisville	*44
Mobile	9, 15, 20, 23, 27, *41
Montgomery	12, 16, *27, 32, 46

¹ Note: Changes from the *Seventh Report and Order* post-transition DTV Table of Allotments are in bold.

Mount Cheaha	*7
Opelika	47
Ozark	33
Selma	29, 42
Troy	48
Tuscaloosa	6, 33
Tuskegee	22

ALASKA

Community	Channel No.
Anchorage	5, *8, 10, 12, 20, *26, 28, 32
Bethel	*3
Fairbanks	7, *9, 18, 26
Juneau	*10, 11
Ketchikan	13
North Pole	20
Sitka	7

ARIZONA

Community	Channel No.
Douglas	36
Flagstaff	2, 13, 18, 32
Green Valley	46
Holbrook	*11
Kingman	19
Mesa	12
Phoenix	*8, 10, 15, 17, 20, 24, 26, 33, 39, 49
Prescott	7
Sierra Vista	44
Tolleson	51
Tucson	9, 19, 23, 25, *28, *30, 32, 40
Yuma	11, 16

ARKANSAS

Community	Channel No.
Arkadelphia	*13
Camden	49
El Dorado	*10, 27, 43
Eureka Springs	34
Fayetteville	*9, 15
Fort Smith	18, 21, 27
Harrison	31
Hot Springs	26
Jonesboro	8, *20, 48

Little Rock	*7, 12, 22, 30, 32, *36, 44
Mountain View	*13
Pine Bluff	24, 39
Rogers	50
Springdale	39

CALIFORNIA

Community	Channel No.
Anaheim	32
Arcata	22
Avalon	47
Bakersfield	10, 25, 33, 45
Barstow	44
Bishop	20
Calipatria	36
Ceres	*15
Chico	24, 43
Clovis	43
Concord	14
Corona	39
Cotati	*23
El Centro	9, 22
Eureka	3, *11, 17, 28
Fort Bragg	8
Fresno	7, 30, 34, 38, *40
Hanford	20
Huntington Beach	*48
Long Beach	18
Los Angeles	7, 9, 11, 13, *28, 31, 34, 36, *41, 42, 43
Merced	11
Modesto	18
Monterey	31, 32
Novato	47
Oakland	44
Ontario	29
Oxnard	24
Palm Springs	42, 46
Paradise	20
Porterville	48
Rancho Palos Verdes	51
Redding	7, *9
Riverside	45
Sacramento	*9, 10, 21, 35, 40, 48
Salinas	8, 13
San Bernardino	*26, 38
San Diego	8, 10, 18, 19, *30, 40
San Francisco	7, 19, 27, 29, *30, *33, 38, 39, 45, 51
San Jose	12, 36, 41, 49, *50

San Luis Obispo	15, 34
San Mateo	*43
Sanger	36
Santa Ana	23
Santa Barbara	21, 27
Santa Maria	19
Santa Rosa	32
Stockton	25, 26, 46
Twentynine Palms	23
Vallejo	34
Ventura	49
Visalia	28, *50
Watsonville	*25

COLORADO

Community	Channel No.
Boulder	15
Broomfield	*13
Castle Rock	46
Colorado Springs	10, 22, 24
Denver	7, 9, *18, 19, 32, 34, 35, *40, 43, 51
Durango	15, *20, 33
Fort Collins	21
Glenwood Springs	23
Grand Junction	2, 7, 12, 15, *18
Greeley	38
Longmont	29
Montrose	13
Pueblo	*8, 42, 48
Steamboat Springs	10
Sterling	23

CONNECTICUT

Community	Channel No.
Bridgeport	42, *49
Hartford	31, 33, *45, 46
New Britain	35
New Haven	*6, 10, 39
New London	26
Norwich	*9
Waterbury	20

DELAWARE

Community	Channel No.
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Seaford	*44
Wilmington	*12, 31

DISTRICT OF COLUMBIA

Community	Channel No.
Washington	7, 9, *27, *33, 35, 36, 48, 50

FLORIDA

Community	Channel No.
Boca Raton	*40
Bradenton	42
Cape Coral	35
Clearwater	21
Clermont	17
Cocoa	*30, 51
Daytona Beach	11, 49
Destin	48
Fort Lauderdale	30
Fort Myers	9, 15, *31
Fort Pierce	34, *38
Fort Walton Beach	40, 49, 50
Gainesville	9, 16, *36
High Springs	28
Hollywood	47
Jacksonville	*7, 13, 19, 32, 34, 42, *44
Key West	3, 8
Lake Worth	36
Lakeland	19
Leesburg	40, *46
Live Oak	48
Marianna	51
Melbourne	43, 48
Miami	7, 10, *18, 19, *20, 22, 23, 31, 32, 35, 46
Naples	41, 45
New Smyrna Beach	*33
Ocala	31
Orange Park	10
Orlando	22, *23, 26, 27, 39, 41
Palm Beach	49
Panama City	7, 9, 13, *38
Panama City Beach	47
Pensacola	17, *31, 34, 45
Sarasota	24
St. Petersburg	10, 38, 44

Stuart	44
Tallahassee	24, 27, *32, 40
Tampa	7, 12, *13, 29, *34, 47
Tequesta	16
Tice	33
Venice	25
West Palm Beach	12, 13, *27, 28

GEORGIA

Community	Channel No.
Albany	10, 12
Athens	*8, 48
Atlanta	10, 19, 20, *21, 25, 27, 39, *41, 43
Augusta	12, 30, 42, 51
Bainbridge	49
Baxley	35
Brunswick	24
Chatsworth	*33
Cochran	*7
Columbus	9, 15, *23, 35, 49
Cordele	51
Dalton	16
Dawson	*8
Macon	13, 16, 40, 45
Monroe	44
Pelham	*6
Perry	32
Rome	51
Savannah	*9, 11, 22, 39
Thomasville	46
Toccoa	24
Valdosta	43
Waycross	*8
Wrens	*6

HAWAII

Community	Channel No.
Hilo	9, 11, 13, 22, 23
Honolulu	8, 9, *10, *11, 19, 23, 27, 31, 33, 35, 40, *43
Kailua	50
Kailua Kona	25
Kaneohe	41
Wailuku	7, *10, 12, 16, 21, 24
Waimanalo	38

IDAHO

Community	Channel No.
Boise	7, *21, 28, 39
Caldwell	10
Coeur D'alene	*45
Filer	*18
Idaho Falls	8, 20, 36
Lewiston	32
Moscow	*12
Nampa	13, 24
Pocatello	15, *17, 23, 31
Sun Valley	5
Twin Falls	11, *22, 34

ILLINOIS

Community	Channel No.
Aurora	50
Bloomington	28
Carbondale	*8
Champaign	41, 48
Charleston	*50
Chicago	7, 12, 19, *21, 27, 29, 31, 43, 45, *47
Decatur	18, 22
East St. Louis	47
Freeport	23
Galesburg	8
Harrisburg	34
Jacksonville	*15
Joliet	38
LaSalle	10
Macomb	*21
Marion	17
Moline	*23, 38
Mount Vernon	21
Olney	*19
Peoria	19, 25, 30, 39, *46
Quincy	10, 32, *34
Rock Island	4
Rockford	13, 16, 42
Springfield	13, 42, 44
Urbana	*9, 26

INDIANA

Community	Channel No.
Angola	12
Bloomington	*14, 27, 42, 48
Elkhart	28
Evansville	7, *9, 28, 45, 46
Fort Wayne	19, 24, 31, 36, *40
Gary	*17, 51
Hammond	36
Indianapolis	9, 13, 16, *21, 25, *44, 45
Kokomo	29
Lafayette	11
Marion	32
Muncie	23
Richmond	39
Salem	51
South Bend	22, *35, 42, 48
Terre Haute	10, 36, 39
Vincennes	*22

IOWA

Community	Channel No.
Ames	5, 23, *34
Burlington	41
Cedar Rapids	9, 27, 47, 51
Council Bluffs	*33
Davenport	*34, 36, 49
Des Moines	8, *11, 13, 16, 31
Dubuque	43
Fort Dodge	*25
Iowa City	*12, 25
Mason City	*18, 42
Newton	39
Ottumwa	15
Red Oak	*35
Sioux City	9, *28, 39, 41, 44
Waterloo	7, 22, *35

KANSAS

Community	Channel No.
Colby	17, 19
Derby	46
Dodge City	*21
Ensign	6
Garden City	11, 13
Goodland	10

Great Bend	22
Hays	7, *16
Hoisington	14
Hutchinson	*8, 12, 35
Lakin	*8
Lawrence	41
Pittsburg	7, 13
Salina	17
Topeka	*11, 12, 13, 27, 49
Wichita	10, 19, 26, 45

KENTUCKY

Community	Channel No.
Ashland	*26, 44
Beattyville	7
Bowling Green	13, 16, *18, *48
Campbellsville	19
Covington	*24
Danville	4
Elizabethtown	*43
Harlan	51
Hazard	12, *16
Lexington	13, 39, 40, *42
Louisville	8, 11, *17, 26, *38, 47, 49
Madisonville	20, *42
Morehead	*15, 21
Murray	*36
Newport	29
Owensboro	30
Owenton	*44
Paducah	32, 41, 49
Pikeville	*24
Somerset	*14

LOUISIANA

Community	Channel No.
Alexandria	*26, 31, 35, 41
Baton Rouge	9, 13, *25, 34, 45
Columbia	11
Hammond	42
Lafayette	10, 16, *23, 28
Lake Charles	7, *20, 30
Minden	21
Monroe	8, *13
New Iberia	50
New Orleans	8, *11, 15, 21, 26, *31, 36, 43, 50

Shreveport	17, *25, 28, 34, 44
Slidell	24
West Monroe	36, 38

MAINE

Community	Channel No.
Augusta	*10
Bangor	2, 7, 19
Biddeford	*45
Calais	*10
Lewiston	35
Orono	*9
Poland Spring	8
Portland	38, 43, 44
Presque Isle	8, *10, 47
Waterville	23

MARYLAND

Community	Channel No.
Annapolis	*42
Baltimore	11, 13, *29, 38, 40, 41, 46,
Frederick	*28
Hagerstown	26, 39, *44
Oakland	*36
Salisbury	21, *28, 47

MASSACHUSETTS

Community	Channel No.
Adams	36
Boston	7, *19, 20, 30, 31, 32, 39, *43
Cambridge	41
Lawrence	18
Marlborough	27
New Bedford	22, 49
Norwell	10
Pittsfield	13
Springfield	11, *22, 40
Vineyard Haven	40
Worcester	29, *47

MICHIGAN

Community	Channel No.
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