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

In the Matter of	)	
	)	
Advanced Television Systems	)	MB Docket No. 87-268
And Their Impact on the Existing	)	
Television Broadcast Service	)	

To: Office of the Secretary

PETITION FOR PARTIAL RECONSIDERATION OF MEREDITH CORPORATION

By its attorneys and pursuant to Section 1.429 of the Commission's Rules,[1] Meredith Corporation ("Meredith"), licensee of WHNS-DT (Greenville, South Carolina) (the "Station"), hereby respectfully requests that the Commission reconsider portions of the *Memorandum Opinion and Order on Reconsideration of the Seventh Report and Order* in the above-captioned proceeding.[2] In the *MO&O*, the Commission said it granted the Station's request for revision of the Post-Transition DTV Table of Allotments,[3] but actually the Commission mistakenly reduced the Station's allotted service – contrary to its well-reasoned policy not to require full build-out

[1] 47 C.F.R. § 1.429 (2007).

[2] In the Matter of Advanced Television Systems and Their Impact Upon Existing Television Broadcast Service, *Memorandum Opinion and Order on Reconsideration of the Seventh Report and Order*, MB Docket No. 87-268, FCC 08-72 (rel. Mar. 6, 2008) ("*MO&O*"). The *MO&O* was published in the Federal Register on March 21, 2008. *See* 73 Fed. Reg. 15284. Accordingly, this petition is timely filed. *See* 47 C.F.R. §§ 1.429(d), 1.4(b).

[3] *MO&O*, ¶ 39.

for stations changing DTV channels.[4] To correct for this reduction, Meredith simply is requesting that the Commission restore the Station's prior allotment.

In 1997, the Commission assigned the Station an out-of-core DTV allotment, so the Station must switch DTV channels on February 18, 2009. To help all television stations avoid stranded investment, the Commission promised in 2004 that certain qualifying stations switching DTV channels "need only provide service to the same number of viewers as their replicated service area in order to preserve their right to maximize/replicate on their ultimate DTV channel."[5] The Commission accordingly assigned the Station a fully protected allotment in the *Seventh R&O*.[6]

In 2007, the Commission indicated that only television stations reaching 95% of their allotted populations were assured grant of construction permits.[7] Because of the mismatch between its allotted and actual antenna patterns, the Station could not reach this 95% threshold and accordingly sought in its October 2007 Petition for Reconsideration ("Petition") to eliminate this mismatch.[8] In response, the *MO&O* mistakenly reduced the Station's allotted service area,

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[4] *See* Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, *Report and Order*, 19 FCC Rcd 18279, ¶ 78 (2004) ("*Second Periodic Review*").

[5] *Id.*, ¶ 82 (the Station is in the top 100 markets and is associated with a top four affiliate, and it served 100% of its replicated service area to ensure protection of the full allotment).

[6] *See* Advanced Television Systems and Their Impact Upon Existing Television Broadcast Service, *Seventh Report and Order*, 22 FCC Rcd 15581 (rel. Aug. 6, 2007), App. B ("*Seventh R&O*"); *see also Second Periodic Review*, ¶ 41 & n.81 (allowing stations to certify authorized, maximized facilities), FCC File Nos. BCERCT-20041105AJY and BMPCDT-20030917ADT.

[7] Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, *Notice of Proposed Rulemaking*, 22 FCC Rcd 9478, ¶ 94 (2007).

[8] *See* Petition for Partial Reconsideration of Meredith Corporation in MB Docket No. 87-268 (filed Oct. 26, 2007).

neither granting nor denying the Petition but effectively eliminating the protection promised in 2004.[9]

Meredith requests that the Commission revise the Table of Allotments to reflect a denial of the Petition and thereby restore the Station's allotment to that set forth in the *Seventh R&O*.[10] Meredith has determined that it must apply for maximized facilities when the freeze lifts as scheduled in August 2008[11] to reach viewers inside the Station's analog Grade B contour. If the allotment is not restored as requested, the Station cannot obtain grant of these maximized facilities because the *MO&O* effectively reduced the Station's baseline service population. In other words, with the *MO&O* revising the Table of Allotments in a manner that did not provide protection of the Station's full allotment, the Station cannot avoid service losses. Because such losses are avoidable if the original allotment is restored, Meredith believes that consideration and grant of this instant petition is in the public interest.[12]

Specifically, Meredith requests that the allotment be restored as follows:

Facility ID	State and City		NTSC	DTV					
			Ch	Ch	ERP kW	HAAT (m)	Antenna ID	Latitude (DDMMSS)	Longitude (DDDMMSS)
72300	SC	GREENVILLE	21	21	496	744	70350	351056	824056

[9] *See MO&O*, App. D3.

[10] *Seventh R&O*, App. B.

[11] Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, MB Docket No. 07-91, *Report and Order*, FCC 07-228, ¶ 148 (rel. Dec. 31, 2007).

[12] *See* 47 C.F.R. § 1.429(b)(3).

For these reasons, Meredith petitions for a revision of the Station's allotment back to that set forth in the *Seventh R&O*.

Respectfully submitted,

MEREDITH CORPORATION

/s/

By_____

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