



Federal Communications Commission  
Washington, D.C. 20554

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DA 08-1014  
April 30, 2008  
1800E3-JLB

F. William LeBeau, Esq.  
NBC Telemundo License Co.  
1299 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Re: MB Docket No. 05-317

Dear Mr. LeBeau:

By letter dated February 28, 2008, NBC Telemundo License Co. {"NBC"}, the permittee of WNBC-DT, New York, New York, requested an extension of its waiver of Section 339(a)(2)(D) of the Communications Act of 1934, as amended, to prohibit satellite subscribers from receiving or conducting a digital signal strength test of WNBC-DT's digital signal.<sup>1</sup> The Commission granted the original digital signal testing waiver based on the fact that the station's digital signal coverage was limited by force majeure, when the station's transmitter site was destroyed in the terrorist attack that destroyed the World Trade Center on September 11, 2001.<sup>2</sup> The Commission has granted two six-month extensions.<sup>3</sup> In its most recent extension request, NBC states that the Freedom Tower, which is to be built at the site of the destroyed World Trade Center, has not yet been constructed.

Accordingly, IT IS ORDERED that the request of NBC IS GRANTED and the first permissible date for digital testing for WNBC-DT IS EXTENDED six months, from April 30, 2008 to October 31, 2008. If a further extension is needed, a request must be filed by August 15, 2008, with oppositions filed with the Commission and served on the relevant parties by August 25, 2008, and replies no later than September 1, 2008.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

<sup>1</sup> See 47 U.S.C. § 339 (a)(2)(D)(viii), as amended by Section 207 of the Satellite Home Viewer Extension and Reauthorization Act of 2004 ("SHVERA"), 47 U.S.C. § 339.

<sup>2</sup> See *Waiver of Digital Testing Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004*, 21 FCC Rcd 4812, 4821 (2006).

<sup>3</sup> See *Waiver of Digital Testing Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004*, 22 FCC Rcd 18941, 18942 (2007).