

ORIGINAL

HARRY F. COLE
ANNE GOODWIN CRUMP
VINCENT J. CURTIS, JR.
JOSEPH M. DI SCIPIO
PAUL J. FELDMAN
JEFFREY J. GEE
KEVIN M. GOLDBERG
FRANK R. JAZZO
M. SCOTT JOHNSON
MITCHELL LAZARUS
STEPHEN T. LOVELADY*
SUSAN A. MARSHALL
HARRY C. MARTIN
MICHELLE A. McCLURE*
MATTHEW H. McCORMICK*
FRANCISCO R. MONTERO
PATRICK A. MURCK
LEE G. PETRO*
RAYMOND J. QUIANZON
MICHAEL W. RICHARDS*
JAMES P. RILEY
DAVINA S. SASHKIN
PETER TANNENWALD*
KATHLEEN VICTORY
HOWARD M. WEISS
RONALD P. WHITWORTH

FLETCHER, HEALD & HILDRETH, P.L.C.

ATTORNEYS AT LAW
11th FLOOR, 1300 NORTH 17th STREET
ARLINGTON, VIRGINIA 22209

OFFICE: (703) 812-0400
FAX: (703) 812-0486
www.fhhlaw.com

RETIRED MEMBERS
RICHARD HILDRETH
GEORGE PETRUSAS
CONSULTANT FOR INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS
SHELDON J. KRYS
U. S. AMBASSADOR (ret.)
OF COUNSEL
ALAN C. CAMPBELL
DONALD J. EVANS
ROBERT M. GURSS*
RICHARD F. SWIFT*
WRITER'S DIRECT

petro@fhhlaw.com
703-812-0453

May 14, 2008

FILED/ACCEPTED
MAY 14 2008
Federal Communications Commission
Office of the Secretary

*NOT ADMITTED IN VIRGINIA

By Hand Delivery

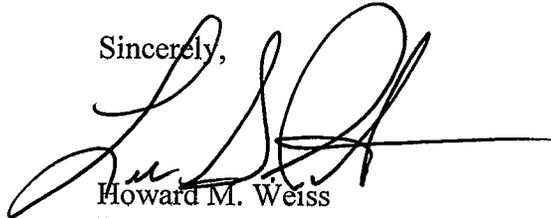
Marlene H. Dortch, Esquire
Secretary
Federal Communications Commission
445 12th Street, S.W. – TW-B204
Washington, DC 20554

RE: Petition for Rulemaking
Station KCEB-DT, Longview, Texas
Estes Broadcasting, Inc., Permittee

Dear Ms. Dortch:

Transmitted herewith is an original and four copies of a Petition for Rulemaking regarding the above-referenced station, filed on behalf of Estes Broadcasting, Inc. Should there be any questions regarding this matter, please contact undersigned counsel.

Sincerely,



Howard M. Weiss
Lee G. Petro

Counsel for Estes Broadcasting, Inc.

Enclosures

No. of Copies rec'd 044
List ABCDE

ymb-video 08-22

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

ORIGINAL

In re:

ESTES BROADCASTING, INC.

Petition For Rulemaking to Amend DTV
Table Of Allotments for
Station KCEB-DT, Longview, Texas

MB Docket No. ___ - ___

RM No. _____

FILED/ACCEPTED
MAY 14 2008
Federal Communications Commission
Office of the Secretary

To: The Secretary
Attn: Chief, Media Bureau

PETITION FOR RULEMAKING

Estes Broadcasting, Inc. ("Estes"), by and through its attorneys, and pursuant to Section 73.623 of the Commission's rules, 47 C.F.R. §73.623 (2007), hereby submits this Petition for Rulemaking to amend the DTV Table of Allotments (47 C.F.R. § 73.622(i)) to change the post-transition, DTV channel assignment of Station KCEB(TV), Longview, Texas (Facility Id. 83913) (the "Station") to Channel 51 and make related changes to the Station's technical parameters.

As discussed in more detail below, the grant of the instant Petition will serve the public interest. In particular, the grant of the instant request will permit the immediate commencement of digital service by the Station upon the termination of the analog service in February 2009, thus ensuring that viewers in the Longview-Tyler market will not lose CW and local programming while the digital facility is constructed.

Since the Station does not have a paired DTV channel assignment, and because its licensed analog channel (54) is outside the core DTV spectrum, it must cease operations of its analog facility on February 17, 2009. However, broadcast on the digital facility (i) authorized in

its construction permit (BPCDT-20070510ABZ) and (ii) specified in the post-transition DTV Table of Allotments requires that the Station must construct its post-transition DTV facility on a tower that is unable to support an additional DTV facility without costly modifications.

As proposed herein, the expeditious grant of this request will permit Estes to complete planning of the facility, and be in position to commence operation immediately after the termination of analog Station KFXK(TV), Longview, Texas, on Channel 51 on February 17, 2009. Although the instant Request is filed prior to the lifting of the processing freeze in August 2008, the extraordinary circumstances discussed herein justify a waiver of the Freeze.¹

BACKGROUND

The Station is a singleton facility licensed to operate on analog channel 54. Since the Station had not yet been authorized in April 1997 when the Commission adopted the initial draft of the DTV Table of Allotments, it did not receive a second, digital channel. Further, due to the initial authorization for the Station, which specified an analog channel outside the core DTV spectrum (2-51), Estes had to engage in a convoluted, multi-step process to obtain authorization for the current digital operation on DTV Channel 38, as specified in the FCC's final, post-transition DTV Table of Allotments.²

Specifically, the Station first had to submit a Petition for Rulemaking to amend the NTSC Table of Allotments to replace Channel 54 with Channel 38 at Longview, Texas.³ Subsequent to

¹ Public Notice, *Freeze on the Filing of Certain TV and DTV Requests for Allotment or Service Area Changes*, DA 04-2446 (rel. August 3, 2004) ("Freeze Order") (instituting a freeze on, *inter alia*, the submission of petitions for rulemaking change channel allotments in the DTV Table).

² *Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service*, Seventh Report and Order, Appendix B, 22 FCC Rcd 15,581 (2007) ("DTV Order").

³ *Longview, Texas*, 18 FCC Rcd 21,010 (2003).

the grant of the proposed change in channel, Estes next filed an application to specify operations on Channel 38 (BPCT-20040521AGY), which was granted on November 4, 2004. Immediately upon grant of the construction permit authorization to operate on analog Channel 38, Estes submitted its certification that it would flash-cut to digital operations on Channel 38 (BCERCT-20041105AUH). Finally, Estes' application to flash-cut to digital operations was granted shortly before the post-transition DTV Table was released (BPCDT-20070510ABZ). Because the Station does not have a paired digital channel, it has until February 17, 2009, to complete construction of its digital facility.

However, Estes will not be able to complete construction of its digital facility until after the antenna for existing analog operations is removed from the tower. The channel change to 51 proposed herein, coupled with the technical modifications, will permit KCEB to immediately commence digital operation of its facility upon the termination of analog operations. Additionally, the immediate grant of this Petition and associated waiver request will also permit Estes to save more than \$600,000 by using existing equipment located on the tower.

DISCUSSION

A. The Proposed Channel Change Conforms with All Technical Requirements.

As discussed in the Engineering Statement of Chesapeake RF Consultants, LLC, attached hereto as Exhibit A, the proposed change in the post-transition DTV channel assignment for Station KCEB complies with all relevant technical requirements for amendments to the DTV Table of Allotments.

In particular, the change from DTV Channel 38 to Channel 51 will result in a reduction in the level of interference received from other digital operations. Specifically, the current DTV

Table of Allotments indicates that the Station will receive .3% interference to its operations on DTV Channel 38 from other post-transition DTV facilities. With the change to DTV Channel 51, this interference will be removed. Furthermore, the change in channel will comport with the Commission's requirement that any change to a post-transition DTV facility does not result in the loss of more than 5% of the currently-authorized post-transition service area and population.⁴ Finally, the proposed facility complies with the Commission's processing guidelines established in the DTV Order regarding the permissible change in a post-transition DTV facility prior to the lifting of the Freeze Order.

Therefore, absent the current imposition of a freeze on the submission of petitions to amend the DTV Table of Allotments, the instant proposal conforms with all applicable FCC requirements for post-transition DTV operations. As discussed below, the grant of a waiver of the Freeze Order in the instant matter will serve the public interest.

B. The Grant of the Freeze Waiver Will Expedite Post-Transition Digital Service.

As noted above, the change in the post-transition DTV Table of Allotments will result in a more efficient use of the spectrum by reducing the level of interference caused to the Station and conforms with all other relevant technical parameters for digital TV facilities.

Further, the immediate processing of the Petition will permit Estes to move swiftly to purchase the necessary equipment and to coordinate with the licensee of analog Channel 51 at the site to convert the analog equipment for digital use. Absent the grant of a waiver of the Freeze Order, Estes will lose this option, and the introduction of digital service will be delayed due to substantial installation difficulties at the authorized tower site.

⁴ *DTV Order*, ¶ 140.

In particular, the attached letter from Marsand, Inc., discusses in detail the problems facing Estes as it attempts to complete construction of its post-transition digital facility.

According to Marsand, when Estes first submitted the proposal for DTV Channel 38 at the authorized tower site, the then-owner of the tower site did not require tower studies to comply with the new TIA/EIA Revision G regulations. However, Crown Castle purchased the tower, and has since implemented requirements that all new construction on the authorized tower site include loading studies that comply with the new construction guidelines.

The tower loading studies, coupled with the necessary modifications to the existing tower, will likely cost between \$300,000 and \$850,000. In the event that the tower loading issues can be resolved, Estes will need to expend an additional approximately \$1,000,000 to remove and modify the existing analog transmitter, install both a new antenna and a new transmitter and related equipment, and make modifications to the existing transmitter building.

In contrast, should the Commission grant the requested change in DTV channel for the station, Estes can utilize the current top-mounted analog antenna for Station KFXK (analog Channel 51), Longview, Texas, make the changes to the current transmitter and save at least \$500,000 on equipment costs. Estes can also avoid incurring the additional expenses associated with the costly Revision G studies and modifications to the tower. Marsand is advised by suppliers that equipment is available, if ordered within the next 60 to 90 days.

Even more important, though, is that the proposal will expedite the introduction of digital operation by the Station after its February 17, 2009, termination of analog service. Should Estes be required to wait until the licensee for Station KFXK removes its top-mounted antenna, and then proceed to install its new side-mounted antenna on the tower, it is likely that the Station will not be able to commence operation of its digital facility for several months after February 2009.

On the other hand, if the Commission grants the instant request for waiver of the Freeze Order, and permits Estes to complete the modifications to the existing Station KFXK facilities prior to the February 2009 deadline, as set forth in Marsand's letter, the Station will be ready to commence operation of its digital facility on Channel 51 when KFXK ceases operation of its analog operations. As a result, the viewing audience of Station KCEB will make the transition from analog to digital much like every other station's audience, rather than losing access to valuable CW network and local programming while Estes builds out its facility.

Critical to this plan is the immediate processing of the instant Petition. As noted above, if the Station must build out its Channel 38 facility, it will need to enlist the support of tower loading crews and place orders for equipment set to operate on Channel 38. It is very unlikely, given the timing of the transition, that such steps could be taken if the Commission waits until the Freeze Order is lifted before considering the instant Petition. (See Marsand Statement.)

Furthermore, if the Commission were to grant the Petition, it has to coordinate the modification of the current analog Channel 51 facility, including the reduction of service of Station KFXK while the antenna is modified. If the Commission were to wait until after the Freeze Order is lifted prior to consider the instant Petition, it is very possible that the licensee for KFXK will either withdraw its support for the proposed modifications, or be forced to make changes hastily due to the delay in processing the Petition.

It is well-established that the Commission must give serious condition to requests for waiver where special concerns exist and the public interest will be served.⁵ In fact, the Freeze

⁵ *Northeast Cellular Telephone, Co. v. FCC*, 897 F.2d 1164, 1166 (DC Cir 1990)(citing *WAIT Radio*, 418 F2d at 1157-59).

Order itself contemplates the grant of waivers of the Freeze where special circumstances exist.⁶ In addition, the DTV Order also set forth certain circumstances under which waivers of the Freeze Order would be granted.⁷ The Commission established these conditions because it recognized that those stations that would be using existing analog facilities “provide benefits for the successful completion of the transition by reducing the demands on equipment supplies and installation crews during a critical time as the transition date nears.”⁸

As discussed above, the grant of a waiver of the Freeze Order in the instant matter would serve the goals referenced by the Commission in the *DTV Order*. The use of the KFXK analog facilities by Estes would substantially reduce the “demand on equipment suppliers” that would be necessary if Estes was required to complete construction of its Channel 38 facility. Deferring approval until the Freeze Order is lifted before the instant proposal is considered would eliminate the benefits provided by using the analog Channel 51 facilities.

Only through the immediate processing of the instant Petition would the Commission’s goals of reducing the demands on tower crews and equipment suppliers be met in a manner that would also satisfy the Commission’s other goal of preserving service to the public during the transition.

CONCLUSION

As set forth herein, the grant of the Petition for Rulemaking complies with all Commission technical requirements, and would substantially reduce the financial and logistical

⁶ *Freeze Order*, pg. 2.

⁷ *DTV Order*, ¶151.

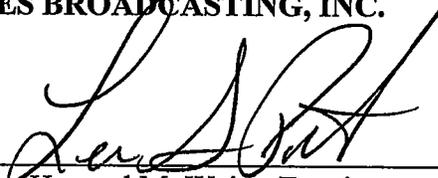
⁸ *Id.*, ¶152.

impact of transitioning the Station to digital operations. No tower studies would be required, existing analog facilities could be utilized with significantly less modifications, and existing service would be preserved to the public.

Therefore, Estes Broadcasting, Inc., respectfully requests that the Commission grant the instant request for waiver and process the Petition for Rulemaking on an expedited basis.

Respectfully submitted,

ESTES BROADCASTING, INC.

By: 

Howard M. Weiss, Esquire

Lee G. Petro, Esquire

FLETCHER, HEALD & HILDRETH, PLC

1300 North 17th Street, 11th Floor

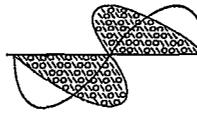
Arlington, Virginia 22209

703-812-0400 - Telephone

Its Attorneys

May 14, 2008

EXHIBIT A



Engineering Statement

prepared for

Estes Broadcasting, Inc.

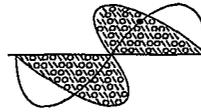
KCEB(TV) Longview, Texas
Facility ID 83913

This engineering statement has been prepared on behalf of *Estes Broadcasting, Inc.* (“*Estes*”), licensee of KCEB(TV) (Facility ID 83913, Longview, TX) in support of a *Petition for Rulemaking* to change the KCEB digital television (“DTV”) post-transition channel assignment and related technical parameters. The FCC’s *Memorandum Opinion and Order on Reconsideration of the Seventh Report and Order and Eighth Report and Order (“MO&O”)*¹ in Media Bureau Docket 87-268 sets forth a DTV allotment table for the post-transition period. Appendix B of the *MO&O* provides channel and other technical parameters for each eligible television station. *Estes* requests an alternative channel assignment and related parameters for KCEB.

The licensed KCEB analog facility is on Channel 54 (BLCT-20030721ABN). KCEB is a “singleton” facility authorized after April 3, 1997 and therefore does not have a companion digital channel. Further, KCEB’s analog Channel 54 is not in the core (Ch. 2-51) and cannot be employed for post-transition digital operation. KCEB is authorized to flash-cut directly to digital operation on Channel 38 pursuant to a Construction Permit (BPCDT-20070510ABZ). The *MO&O* Appendix B parameters for KCEB also specify Channel 38.

The KCEB digital Channel 38 operation (CP and current Appendix B) would employ a side-mounted transmitting antenna on a tower structure also employed by station KFXX(TV) (Facility ID 70917, Longview, TX). KFXX is analog Channel 51 and digital Channel 31, and will remain on Channel 31 post-transition. The KFXX Channel 51 analog antenna is top-mounted on the tower structure and would no longer be needed under the current allotment table, while a new Channel 38 antenna would have to be added to the tower for KCEB (either side-mount or as a replacement top-mount).

¹*Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, MB Docket No. 87-268, FCC 08-72, released March 6, 2008.



In order to eliminate the need for any antenna work on the tower, *Estes* proposes herein to change KCEB's post-transition digital allotment to Channel 51 and employ the existing Channel 51 antenna system. The proposal also would change other technical parameters for KCEB to correspond to the top-mount antenna location and the KFXK directional antenna pattern, as summarized below. The proposed KCEB-DT allotment's predicted service population provides a 96.1 percent match of the Appendix B facility. Population data and technical parameters (present and proposed) are summarized in the tables below.

Post-Transition Population Summary

Population Summary (2000 Census) OET Bulletin 69 method	Channel 38 Appendix B	Channel 51 Proposed
Within Noise Limited Contour	556,291	534,029
Not affected by terrain losses	555,941	532,599
Lost to all interference	1,837	0
Net DTV Service	554,104	532,599
Match of Appendix B	---	96.12%

Present Channel 38 Parameters (Appendix B)

Facility ID	State and City		NTSC	DTV								
				Chan	Chan	ERP (kW)	HAAT (m)	Antenna ID	Latitude (DDMMSS)	Longitude (DDMMSS)	Area (sq km)	Population (thous)
83913	TX	LONGVIEW	38	38	191	268	74771	321536	945702	15446	554	0.3

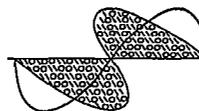
Antenna C/R AMSL: 404 meters

Proposed Channel 51 Parameters

Facility ID	State and City		NTSC	DTV								
				Chan	Chan	ERP (kW)	HAAT (m)	Antenna ID	Latitude (DDMMSS)	Longitude (DDMMSS)	Area (sq km)	Population (thous)
83913	TX	LONGVIEW	38	51	38	377	20557	321536	945702	14762	533	0.0

Antenna C/R AMSL: 514 meters

The proposed Antenna ID corresponds to the licensed KFXK analog Channel 51 directional antenna (see pattern data at **Figure 1**). With the increase in antenna height of over 100 meters (top mount instead of side mount) and differences in directional antenna patterns, the proposed ERP has



been set² to 38 kW to maintain the resulting coverage contour within that of the current Appendix B facility plus a 5 mile allowance, as depicted in **Figure 2**.

A map is supplied as **Figure 3**, which depicts the standard predicted coverage contours. This map includes the boundaries of Longview, KCEB's principal community. As demonstrated thereon, the proposed facility complies with §73.625(a)(1), as the entire principal community will be encompassed by the 48 dBμ contour.

A detailed interference study per OET Bulletin 69³ shows that the proposal complies with the 0.5 percent limit of new interference caused to other stations' Appendix B facilities, as summarized in the table below. No authorized Class A station would be subject to prohibited contour overlap from the proposal.

Post-Transition Interference Analysis Summary

Ch	Call Sign	State/City Facility ID	Power (kW) HAAT (m)	Dist (km) Bear (°T)	Appendix B	New Interference	
					Baseline Population (2000 Census)	From Proposal Population	Percent
50	KBTX-TV	TX BRYAN 6669	1000	215.2	---	no interference caused	---
			477	208.7			
51	WWJX	MS JACKSON 166512	184	428.4	---	no interference caused	---
			384	89.1			

² The proposed coordinates, antenna height above average terrain, and antenna height above mean sea level vary slightly from the KXFK Channel 51 licensed values to conform to Antenna Structure Registration data regarding the site location and elevation (ASR #1047436).

³FCC Office of Engineering and Technology Bulletin number 69, *Longley-Rice Methodology for Evaluating TV Coverage and Interference*, February 6, 2004 ("OET-69"). The implementation of OET-69 for this study followed the guidelines of OET-69 as specified therein. A standard cell size of 2 km was employed. Comparisons of various results of this computer program (run on a Sun Sparc processor) to the Commission's implementation of OET-69 show excellent correlation.

**Engineering Statement
Estes Broadcasting, Inc.**

KCEB(TV) Longview, TX
Page 4 of 4



Chesapeake RF Consultants, LLC

Radiofrequency Consulting Engineers
Digital Television and Radio

Certification

The undersigned hereby certifies that the foregoing statement was prepared by him or under his direction, and that it is true and correct to the best of his knowledge and belief.

A handwritten signature in black ink, appearing to read "Joseph M. Davis". The signature is fluid and cursive.

Joseph M. Davis, P.E.
May 12, 2008

Chesapeake RF Consultants, LLC

11993 Kahns Road
Manassas, VA 20112
703-650-9600

List of Attachments

- Figure 1 Antenna Pattern Data
- Figure 2 Coverage Contour Comparison
- Figure 3 Proposed Coverage Contours



Relative Field Values

[http://fallfoss.fcc.gov/cgi-bin/ws.exe/prod/cdbs/pubacc/prod/ant_detail... Polar Plot](http://fallfoss.fcc.gov/cgi-bin/ws.exe/prod/cdbs/pubacc/prod/ant_detail...)

<http://www.fcc.gov/cgi-bin/polarplot?temp=20557&rotate=0&p0=0.93...>



FCC Home | MB

Relative Field Values

FCC > Media Bureau > MB-CDBS > CDBS Public Access > Antenna Search

Help site map

Antenna Make	Model	Service	Antenna Id
RCA	TFU-30,DAS (SPECIAL)	TV	20557

Antenna relative field values:

0° 0.93	10° 1	20° 0.99	30° 0.91	40° 0.74	50° 0.5
60° 0.3	70° 0.33	80° 0.54	90° 0.64	100° 0.6	110° 0.46
120° 0.31	130° 0.44	140° 0.78	150° 0.93	160° 1	170° 0.99
180° 0.91	190° 0.75	200° 0.53	210° 0.33	220° 0.21	230° 0.2
240° 0.22	250° 0.24	260° 0.27	270° 0.29	280° 0.3	290° 0.3
300° 0.28	310° 0.22	320° 0.32	330° 0.48	340° 0.66	350° 0.81

Additional Azimuths:

Relative Field Polar Plot

FCC Home | Search | Updates | E-Filing | Initiatives | For Consumers | Find People

Please send comments via standard mail to the Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street, S.W., Washington, D.C. 20554. Questions can also be answered by calling the FCC's National Call Center, toll free, at 1-888-Call FCC (1-888-225-5322).

Federal Communications Commission
445 12th Street SW
Washington, DC 20554
[More FCC Contact Information...](#)

Phone 1-888-CALL-FCC (1-888-225-5322)
TTY: 1-888-TELL-FCC (1-888-835-5322)
Fax 1-866-418-0232
E-mail fccinfo@fcc.gov

[Privacy Policy](#)
[Website Policies & Notices](#)
[Required Browser Plug-ins](#)
[Freedom of Information Act](#)

Any specified rotation has already been applied to the plotted pattern. Field strength values shown on a rotated pattern may differ from the listed values because intermediate azimuths are interpolated between entered azimuths.

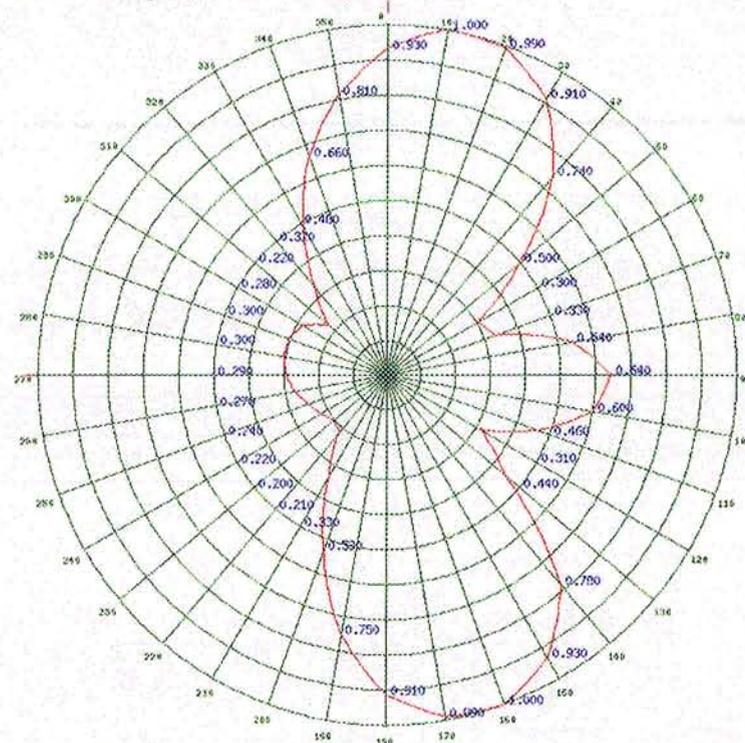


Figure 1
Directional Antenna Data
Antenna ID #20557
KCEB(TV) Longview, TX

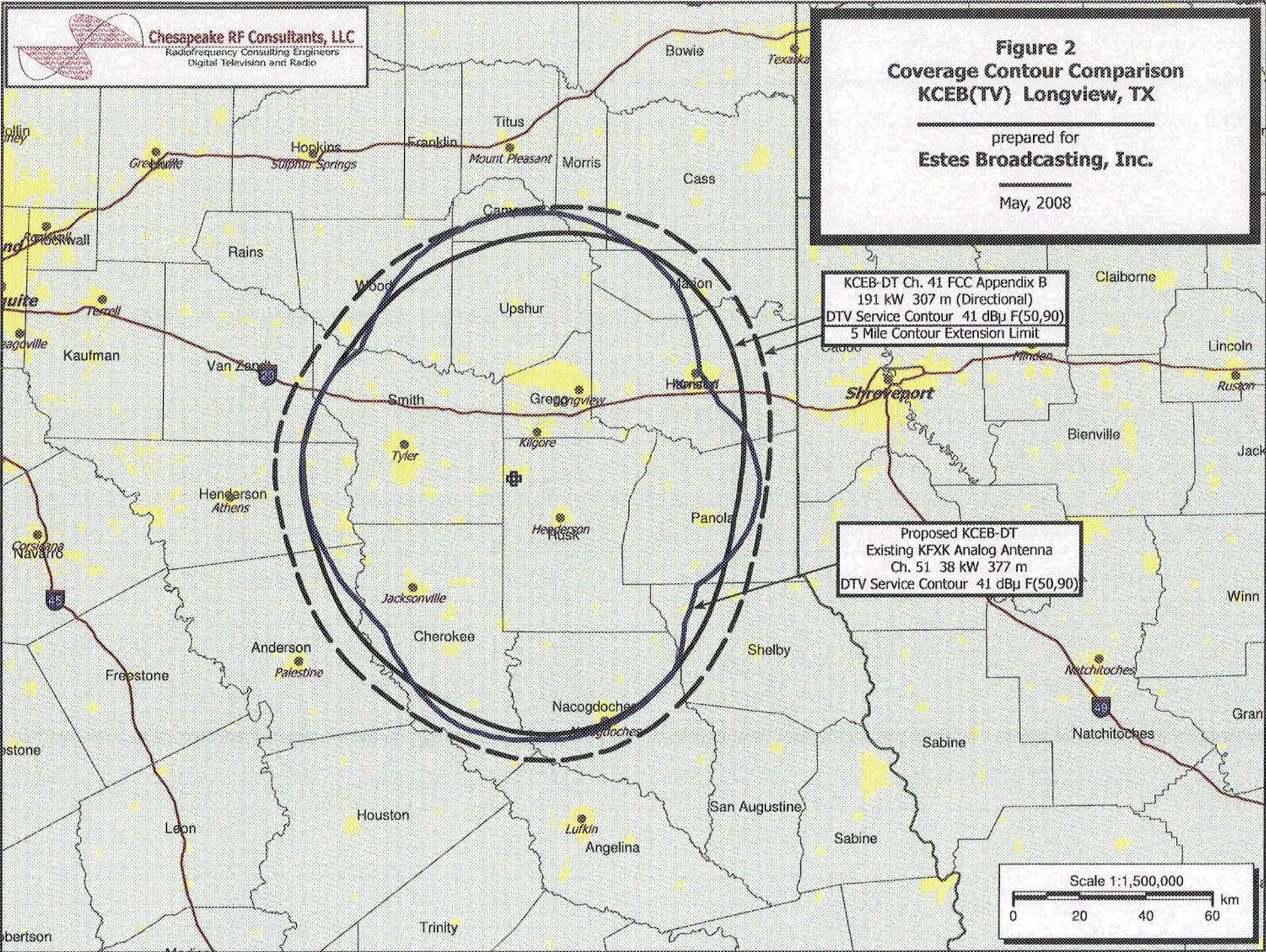
prepared for
Estes Broadcasting, Inc.

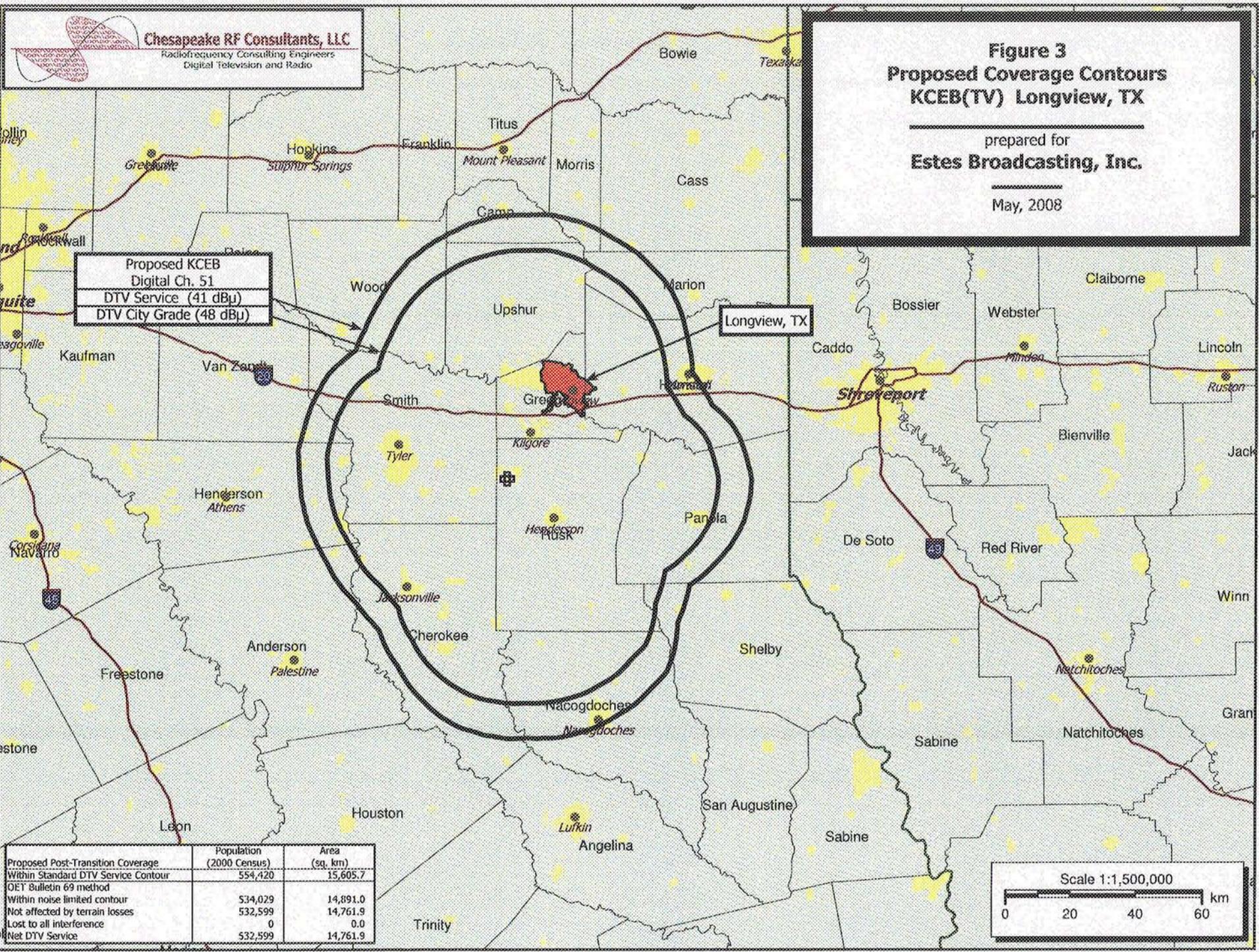
May, 2008

Figure 2
Coverage Contour Comparison
KCEB(TV) Longview, TX

prepared for
Estes Broadcasting, Inc.

May, 2008





Chesapeake RF Consultants, LLC
 Radiofrequency Consulting Engineers
 Digital Television and Radio

Figure 3
Proposed Coverage Contours
KCEB(TV) Longview, TX

prepared for
Estes Broadcasting, Inc.

May, 2008

Proposed KCEB
 Digital Ch. 51
 DTV Service (41 dBu)
 DTV City Grade (48 dBu)

Longview, TX

Proposed Post-Transition Coverage	Population (2000 Census)	Area (sq. km)
Within Standard DTV Service Contour	554,420	15,605.7
OET Bulletin 69 method		
Within noise limited contour	534,029	14,891.0
Not affected by terrain losses	532,599	14,761.9
Lost to all interference	0	0.0
Net DTV Service	532,599	14,761.9

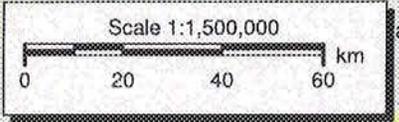


EXHIBIT B



Tuesday, May 12th, 2008

Costs Implementation for KCEB (DT), Longview, Texas

KCEB has been granted a digital channel 38, to be located on the Crown Castle tower near Overton, Texas. During the process of planning the transmitter portion of the DTV implementation, evaluating the costs, scheduling and availability of tower crews, an opportunity presented itself that would resolve several significant issues and roadblocks to this transition.

Some of the issues include 1) the modification of the tower, which is presently not capable of adding Ch 38 as a result of the more recent building code known as Revision G standard 2) high costs involved in the tower modification 3) availability of tower crews to perform the modifications.

The original Ch 38 application was proposed to the Commission during a time when the tower was owned and operated by Pinnacle Towers. Since that time, the tower has been sold, and the new owner, Crown Castle, is basing all tower studies upon the latest Code revision, for which Ch 38 cannot be accommodated without extensive tower modifications, assuming they are allowed to proceed.

At the Overton tower location, there is presently an analog Ch 51 top mounted antenna that will be vacated at the analog sunset of February 17, 2009, the same date that KCEB (DT) is to initiate full digital operation. The removal of the top mount antenna and waveguide, which is leased space on the tower, is also a high cost to the licensee of Ch 51, with further issues of prolonged lease time after the sunset, again due to lack of available tower crews qualified for removal of the antenna and waveguide.

Upon discovering this information, evaluating the implementation possibilities, and the licensees of both KCEB and Ch 51 discussing and coming to a potential agreement, it was proposed that KCEB apply for the Ch 51, to implement the DTV broadcasting beginning February 17, 2009. Upon approval by the FCC, the Ch 38 allocation would be replaced by Ch 51. Initial interference studies have demonstrated that Ch 51 is clear and available for DTV usage upon ceasing operation at the analog sunset date.

A comparison of implementation costs for both authorized and proposed scenarios is shown below.

Implementation on authorized Ch 38:

Transmitter removal, re-installation, conversion to digital, mask filter	\$ 360,000.
Digital microwave and satellite dish relocation	\$ 100,000.
Building modifications	\$ 45,000.
New side-mount antenna and transmission line	\$ 460,000.
Installation of antenna and transmission line	\$ 190,000.

Matthew A. Sanderford, Jr., P.E.

Estimated range of modifications to Revision G \$ 300,000 to \$ 850,000.
 Total for Ch 38 Digital implementation: Range \$ 1,455,00 to \$ 2,005,000.

There is no longer a guarantee that the tower can be modified to accept another antenna while the existing Ch 51 system is still operational. The Ch 38 antenna system must be fully implemented, tower modified, while the Ch 51 is still in use in order to meet the requirements of the digital transition.

Implementation of Proposed use of Ch 51:

Transmitter removal, re-installation, conversion to digital, mask filter	\$ 360,000.
Digital microwave and satellite dish relocation	\$ 100,000.
Building modifications	\$ 45,000.
Total for Proposed Ch 51 implementation	\$ 505,000.

The proposed Ch 51 would not require any tower studies, modifications, additional antenna or transmission line. Equipment is readily available, if ordered within the next 60 to 90 days, to change existing KCEB analog transmitter for digital operation.

It is further proposed that, on November 17th, 2008, ½ of the KCEB analog transmitter be shut down for removal and modification to digital to the proposed Overton site. The remaining analog portion of the transmitter would remain on air, providing 50% ERP until the analog sunset, at which time it will be removed from the existing site to be modified for digital operation and serve as backup or parallel operation with the Proposed Ch 51 modified digital transmitter.

The Ch 51 proposal removes all the tower issues associated with the transition.

Respectfully Submitted,



Matthew A. Sanderford, Jr., P.E.
 President - MARSAND, INC.