

FILED/ACCEPTED

JUN 20 2008

Federal Communications Commission
Office of the Secretary

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20054

In the Matter of)
)
Amendment of Section 73.622(b)) MB Docket No. 08-____
Digital Television Table of Allotments,) RM-____
WDLI-DT, Canton, Ohio)

To: Office of the Secretary
Attention: Chief, Media Bureau

PETITION FOR DIGITAL CHANNEL SUBSTITUTION

Trinity Christian Center of Santa Ana, Inc., d/b/a Trinity Broadcasting Network, licensee of digital broadcast station WDLI-DT, Canton, Ohio (Facility ID No. 67893) ("Petitioner," "WDLI," or "Trinity") by its undersigned attorney, pursuant to Sections 1.419, 1.420, and 73.623 of the Commission's rules, hereby submits this request that the Table of Allotments for Digital Television ("DTV") Stations, Section 73.622(b) of the Commission's Rules, be changed as follows:

<u>City</u>	<u>Channel No.</u>	
	<u>Present</u>	<u>Proposed</u>
Canton, Ohio	39	49

In support of such request, the following is set forth.

1. On May 30, 2008, the Commission announced by *Public Notice*¹ that it was lifting the freeze on the filing of petitions for rulemaking to allow requests for channel

¹ *Public Notice*, "Commission Lifts the Freeze on the Filing of Maximization Applications and Petitions for Digital Channel Substitutions, Effective Immediately" (DA 08-1213).

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substitutions to the DTV Table of Allotments.² Petitioner therefore seeks to maximize its operating power and service by substituting DTV channel 49 for DTV channel 39 at Canton, Ohio, for the post-transition use by WDLI at its current transmitter site.³

2. As set forth in the attached engineering of Kevin T. Fisher, Smith and Fisher (Attachment 1), the proposed DTV channel substitution is fully consistent with the requirements of Section 73.623(c) and 76.625(a) of the Rules. Specifically, the substitution of DTV Channel 49 at Canton will comply with the principal community coverage requirements, meets the Commission's interference requirements for all post-transition digital facilities, and meets the human exposure guidelines for non-ionizing electromagnetic radiation.⁴

3. The proposed substitution would significantly benefit the public interest. As noted in Attachment 2, a comparison of the primary (41 dBu) service populations between the two channels, proposed channel 49 will serve an additional population of 118,474.⁵ That represents a significant increase in service and availability to the public.

4. The success of the DTV transition is inherently related to viewer acceptance. The larger the audience size and the better quality and reliability of a maximized service, will help insure the greatest viewer acceptance of the digital migration. The compelling public interest benefit here is that almost 120,000 additional persons will be served by a DTV channel 49

² The freeze on the filing of petitions to change the DTV Table of Allotments, and on power maximization applications, was originally announced on August 3, 2004, *Public Notice*, "Freeze on the Filing of Certain TV and DTV Requests for Allotment or Service Area Changes, 19 FCC Rcd 14810 (MB 2004).

³ BLCDT-20030421ABK.

⁴ *See*, Attachment 1, pg. 1.

⁵ Allotted channel 39 serves 4,037,237, while proposed channel 49 will serve a population of 4,155,711.

operation than on channel 39. Accordingly, a channel 49 DTV allocation would better serve to settle and confirm the public's acceptance and access to digital television.

5. The proposed substitution of channel 49 for channel 39 would also permit WDLI to better replicate its existing service area on analog channel 17, from its current antenna site, while complying with the coverage and allocation criteria set forth in the Commission's Rules. Accordingly, Trinity respectfully submits that this proposed DTV channel substitution would greatly serve the public interest.

6. Accordingly, based on the foregoing, the Commission is respectfully requested to amend the DTV Table of Allotments by substituting the allocation for Canton, Ohio from channel 39 to channel 49.

Respectfully submitted,

**TRINITY CHRISTIAN CENTER OF
SANTA ANA, INC., D/B/A TRINITY
BROADCASTING NETWORK**

By: _____

Colby M. May
Its Attorney

Colby M. May, Esq., P.C.
205 3rd Street, S.E.
Washington, D. C. 20003
(202) 544-5171
Fax: (202) 544-5172
cmmay@maylawoffices.com

June 20, 2008

ATTACHMENT 1

Engineering Statement and Exhibits

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of TRINITY BROADCASTING NETWORK, licensee of WDLI-DT on Channel 39 in Canton, Ohio, in support of its Petition for Rulemaking to substitute Channel 49 for Channel 39 in the Commission's Digital Television Table of Allotments for post-transition operation. If the Petition is granted, the station will replace the transmitter and antenna at the licensed WDLI-DT site.

Attached is the engineering portion of an FCC application for the proposed facility. In it, the operating parameters of the station are provided. As shown in the engineering report, operation on the new channel with the specified parameters will result in a facility that places the requisite city-grade contour over the city of license, meets the FCC's interference requirements to all post-transition DTV facilities (and Class A LPTV stations), and satisfies the Commission's human exposure guidelines to nonionizing electromagnetic radiation.

Accordingly, it is respectfully requested that the Commission substitute the allotment channel for WDLI-DT (with the specified operating parameters) in the digital television allotment table in Section 73.622(i) of the FCC Rules as follows:

Present Allotment

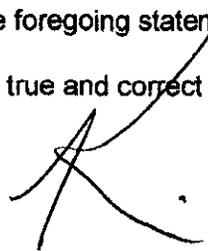
Canton, OH 39, 47

Proposed Allotment

Canton, OH 47, 49

SMITH AND FISHER

I declare, under penalty of perjury, that the foregoing statements and attached engineering report, which was prepared by me, is true and correct to the best of my knowledge and belief.

A handwritten signature in black ink, appearing to be 'K. T. Fisher', written over the text of the declaration.

KEVIN T. FISHER

June 18, 2008

Section III - D - DTV Engineering

Complete Questions 1-5 and provide all data and information for the proposed facility, as requested in Technical Specifications, Items 1-13.

Pre-Transition Certification Checklist: An application concerning a pre-transition channel must complete questions 1(a)-(c), and 2-5. A correct answer of "Yes" to all of the questions will ensure an expeditious grant of a construction permit application to modify pre-transition facilities. However, if the proposed facility is located within the Canadian or Mexican borders, coordination of the proposal under the appropriate treaties may be required prior to grant of the application. An answer of "No" will require additional evaluation of the applicable information in this form before a construction permit can be granted.

Post-Transition Expedited Processing. An application concerning a post-transition channel must complete questions 1(a), (d)-(e), and 2-5. A station applying for a construction permit to build its post-transition channel will receive expedited processing if its application (1) does not seek to expand the noise-limited service contour in any direction beyond that established by Appendix B of the Seventh Report and Order in MB Docket No. 87-268 establishing the new DTV Table of Allotments in 47 C.F.R. § 73.622(i) ("new DTV Table Appendix B"); (2) specifies facilities that match or closely approximate those defined in the new DTV Table Appendix B facilities; and (3) is filed on or before March 17, 2008 (45 days of the Report and Order in the Third DTV Periodic Review proceeding, MB Docket No. 07-91).

1. The proposed DTV facility complies with 47 C.F.R. Section 73.622 in the following respects:

- (a) It will operate on the DTV channel for this station as established in 47 C.F.R. Section 73.622. Yes No
- (b) It will operate a pre-transition facility from a transmitting antenna located within 5.0 km (3.1 miles) of the DTV reference site for this station as established in 47 C.F.R. Section 73.622. Yes No
- (c) It will operate a pre-transition facility with an effective radiated power (ERP) and antenna height above average terrain (HAAT) that do not exceed the DTV reference ERP and HAAT for this station as established in 47 C.F.R. Section 73.622. Yes No
- (d) It will operate at post-transition facilities that do not expand the noise-limited service contour in any direction beyond that established by Appendix B of the Seventh Report and Order in MB Docket No. 87-268 establishing the new DTV Table of Allotments in 47 C.F.R. § 73.622(i) ("new DTV Table Appendix B"). Yes No
 N/A
- (e) It will operate at post-transition facilities that match or reduce by no more than five percent with respect to predicted population from those defined in the DTV Table Appendix B. Yes No
 N/A

2. The proposed facility will not have a significant environmental impact, including exposure of workers or the general public to levels of RF radiation exceeding the applicable health and safety guidelines, and therefore will not come within 47 C.F.R. Section 1.1307. Yes No

Applicant must submit the Exhibit called for in Item 13.

- 3. Pursuant to 47 C.F.R. Section 73.625, the DTV coverage contour of the proposed facility will encompass the allotted principal community. Yes No
- 4. The requirements of 47 C.F.R. Section 73.1030 regarding notification to radio astronomy installations, radio receiving installations and FCC monitoring stations have either been satisfied or are not applicable. Yes No
- 5. The antenna structure to be used by this facility has been registered by the Commission and will not require reregistration to support the proposed antenna, OR the FAA has previously determined that the proposed structure will not adversely effect safety in air navigation and this structure qualifies for later registration under the Commission's phased registration plan, OR the proposed installation on this structure does not require notification to the FAA pursuant to 47 C.F.R. Section 17.7. Yes No

Section III - D DTV Engineering

TECHNICAL SPECIFICATIONS Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.

TECH BOX

1. Channel Number: DTV 49 Analog TV, if any 17

2. Zone: I II III

3. Antenna Location Coordinates: (NAD 27)
41° 03' 20" N S Latitude
81° 35' 38" E W Longitude

4. Antenna Structure Registration Number: 1063363
 Not applicable FAA Notification Filed with FAA

5. Antenna Location Site Elevation Above Mean Sea Level: 297 meters

6. Overall Tower Height Above Ground Level: 327 meters

7. Height of Radiation Center Above Ground Level: 315 meters

8. Height of Radiation Center Above Average Terrain: 292 meters

9. Maximum Effective Radiated Power (average power): 900 kW

10. Antenna Specifications:

Manufacturer ERI	Model ATW24H3-HSC3-49H
---------------------	---------------------------

b. Electrical Beam Tilt: 0.75 degrees Not Applicable

c. Mechanical Beam Tilt: _____ degrees toward azimuth _____ degrees True Not Applicable

Attach as an Exhibit all data specified in 47 C.F.R. Section 73.685(c). Exhibit No.
B

d. Polarization: Horizontal Circular Elliptical

TECH BOX

c. Directional Antenna Relative Field Values: Not applicable (Nondirectional)
 Rotation: _____° No rotation

Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value
0	0.985	60	0.891	120	0.618	180	0.373	240	0.303	300	0.787
10	0.998	70	0.854	130	0.517	190	0.414	250	0.402	310	0.820
20	0.998	80	0.820	140	0.403	200	0.414	260	0.517	320	0.891
30	0.985	90	0.787	150	0.303	210	0.374	270	0.618	330	0.927
40	0.961	100	0.749	160	0.270	220	0.311	280	0.696	340	0.961
50	0.928	110	0.696	170	0.311	230	0.270	290	0.748	350	
Additional Azimuths		15	1.000								

If a directional antenna is proposed, the requirements of 47 C.F.R. Section 73.625(c) must be satisfied. Exhibit required.

Exhibit No.
B

11. Does the proposed facility satisfy the pre-transition interference protection provisions of 47 C.F.R. Section 73.623(a)? (Applicable only if Certification Checklist Items 1(a), (b), or (c) are answered "No.") and/or the post-transition interference protection provisions of 47 C.F.R. Section 73.616? Yes No

If "No," attach as an Exhibit justification therefor, including a summary of any related previously granted waivers.

Exhibit No.
D

12. If the proposed facility will not satisfy the coverage requirement of 47 C.F.R. Section 73.625, attach as an Exhibit justification therefor. (Applicable only if Certification Checklist Item 3 is answered "No.")

Exhibit No.
C

13. Environmental Protection Act. Submit in an Exhibit the following:

Exhibit No.
E

a. If Certification Checklist Item 2 is answered "Yes," a brief explanation of why an Environmental Assessment is not required. Also describe in the Exhibit the steps that will be taken to limit RF radiation exposure to the public and to persons authorized access to the tower site.

By checking "Yes" to Certification Checklist Item 2, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radio frequency electromagnetic exposure in excess of FCC guidelines.

If Certification Checklist Item 2 is answered "No," an Environmental Assessment as required by 47 C.F.R. Section 1.1311.

PREPARER'S CERTIFICATION IN SECTION III MUST BE COMPLETED AND SIGNED.

13. **Petition for Rulemaking/Counterproposal to Add New FM Channel to FM Table of Allotments.** If the application is being submitted concurrently with a Petition for Rulemaking or Counterproposal to Amend the FM Table of Allotments (47 C.F.R. Section 73.202) to add a new FM channel allotment, petitioner/counter-proponent certifies that, if the FM channel allotment requested is allotted, petitioner/counter-proponent will apply to participate in the auction of the channel allotment requested and specified in this application.

Yes No N/A

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing	Typed or Printed Title of Person Signing
Signature	Date

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

SECTION III PREPARER'S CERTIFICATION

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name KEVIN T. FISHER	Relationship to Applicant (e.g., Consulting Engineer) Broadcast Consultant	
Signature	Date June 17, 2008	
Mailing Address SMITH and FISHER, 2237 Tackett's Mill Drive, Suite A		
City Lake Ridge	State or Country (if foreign address) Virginia	ZIP Code 22192
Telephone Number (include area code) (703) 494-2101	E-Mail Address (if available) Kevin@smithandfisher.com	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

EXHIBIT A

ENGINEERING STATEMENT

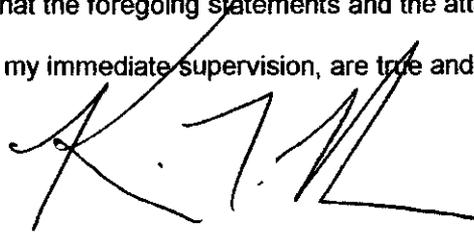
The engineering data contained herein have been prepared on behalf of TRINITY BROADCASTING NETWORK, licensee of WDLI-DT, Channel 39 in Canton, Ohio, in support of its Application for Construction Permit to operate on Channel 49 with a maximized post-transition DTV facility. The facility proposed herein is identical to that specified in the station's Petition for Rulemaking.

It is proposed to mount a standard ERI directional antenna at the 315-meter level of the existing 327-meter tower on which the present WDLI-DT antenna is mounted. Exhibit B provides elevation and azimuth pattern data for the proposed antenna. Exhibit C is a map upon which the predicted service contours are plotted. As shown, the city of license is completely contained within the proposed 48 dBu service contour. An interference study is included in Exhibit D, and it is important to note that the study utilized a cell size of 1.0 kilometers and an increment spacing of 0.1 kilometers. A power density calculation is provided in Exhibit E.

It is not expected that the proposed facility would cause objectionable interference to any other broadcast or non-broadcast station authorized to operate at or near the WDLI-DT site. However, if such should occur, the owner of this station recognizes its obligation to take whatever corrective actions are necessary.

Since no change in overall height or location of the existing tower is proposed herein, the FAA has not been notified of this application. The FCC issued Antenna Structure Registration Number 1063363 to this tower.

I declare under penalty of perjury that the foregoing statements and the attached exhibits, which were prepared by me or under my immediate supervision, are true and correct to the best of my knowledge and belief.

A handwritten signature in black ink, appearing to read 'K. T. Fisher', written over the text of the declaration.

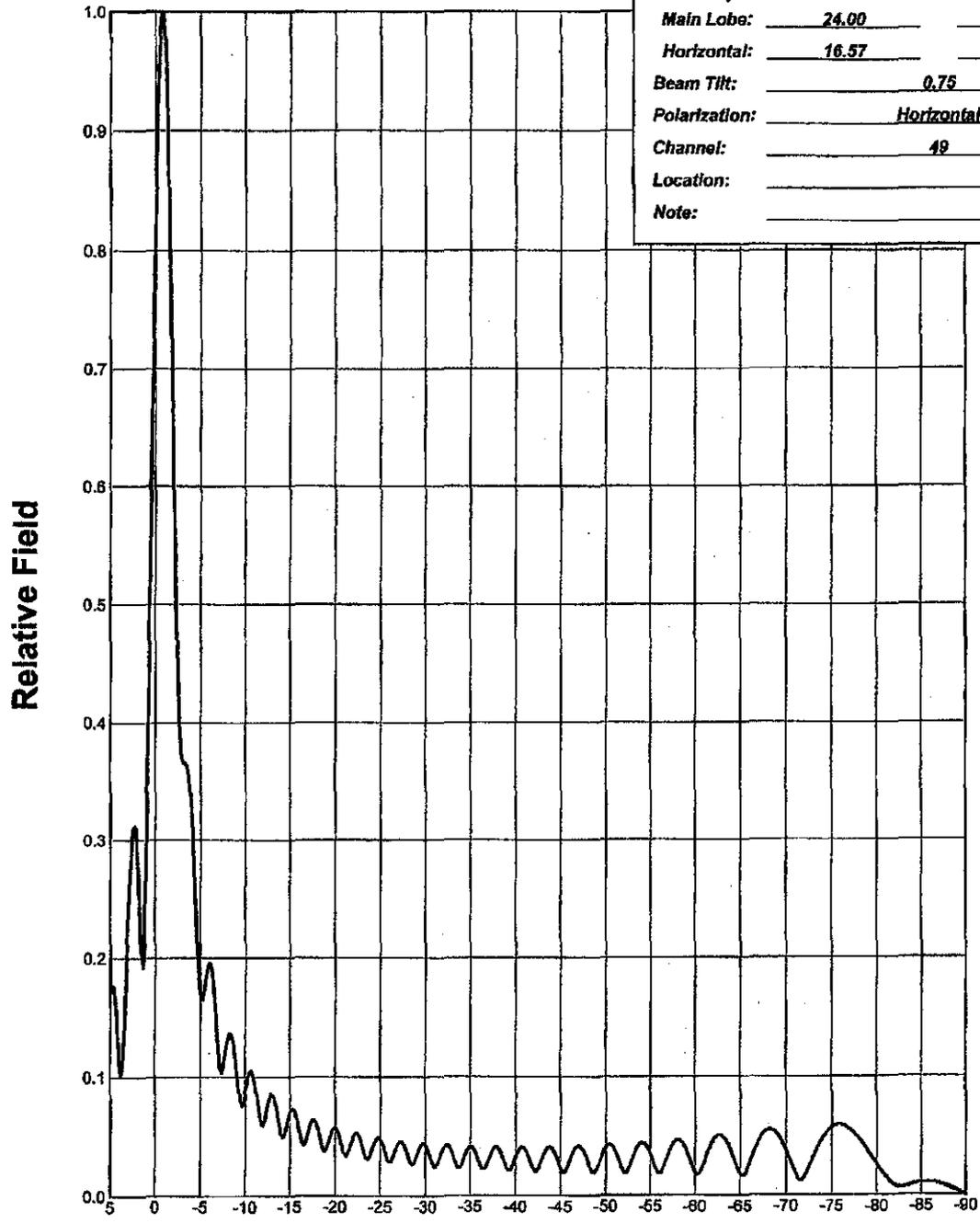
KEVIN T. FISHER

June 18, 2008



ELEVATION PATTERN

Type:	ATW24H3H	
Directivity:	Numeric	dBd
Main Lobe:	24.00	13.80
Horizontal:	16.57	12.19
Beam Tilt:	0.75	
Polarization:	Horizontal	
Channel:	49	
Location:		
Note:		



Electronics Research, Inc.
7777 Gardner Road
Chandler, Indiana U.S.A 47610

EXHIBIT B-1

ANTENNA ELEVATION PATTERN

PROPOSED WDLI-DT
CHANNEL 49 - CANTON, OHIO

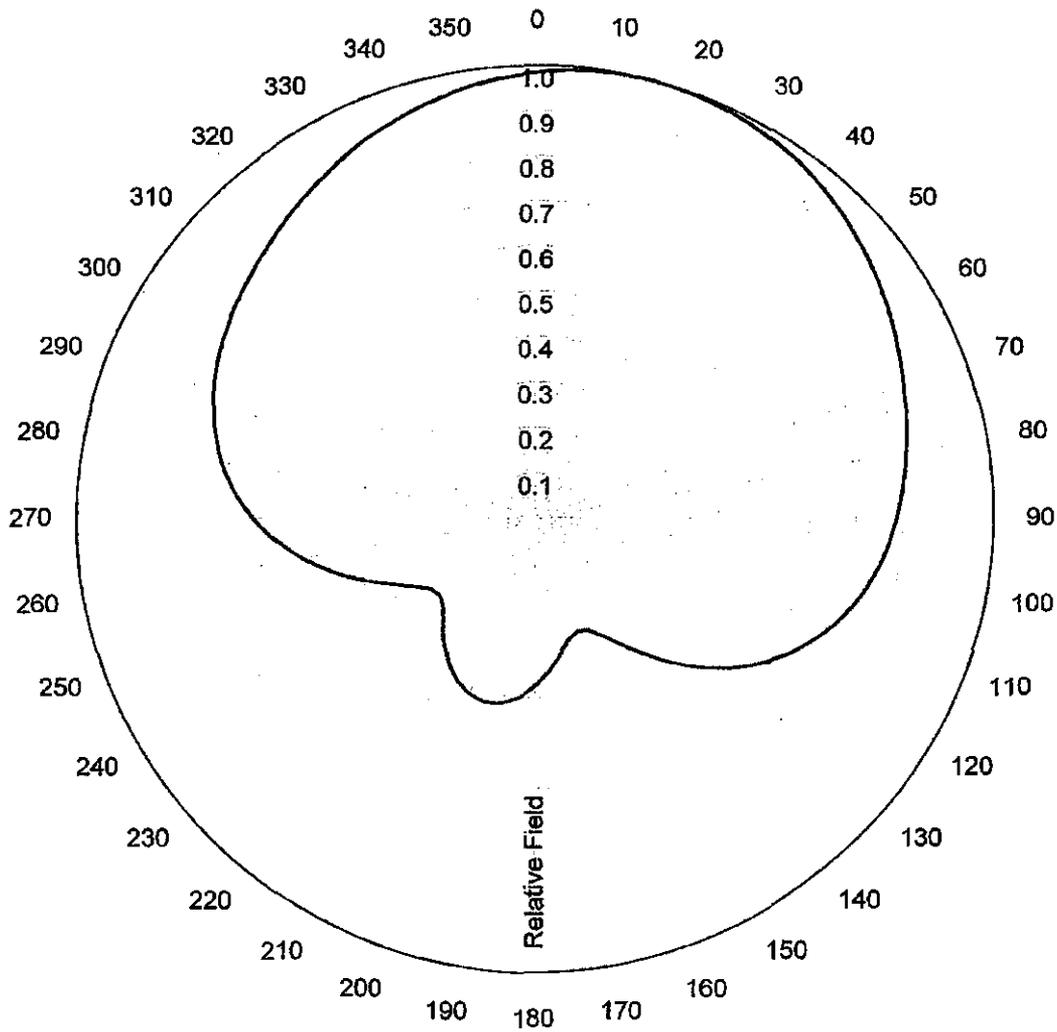
SMITH AND FISHER



AZIMUTH PATTERN

Type: ATW-C3

	Numeric	dBd
Directivity:	2.00	3.01
Peak(s) at:		
Polarization:	<u>Horizontal</u>	
Channel:	<u>49</u>	
Location:		
Note:		



Electronics Research, Inc.
7777 Gardner Road
Chandler, Indiana U.S.A 47610

EXHIBIT B-2

ANTENNA AZIMUTH PATTERN

PROPOSED WDLI-DT
CHANNEL 49 - CANTON, OHIO

SMITH AND FISHER



**AZIMUTH PATTERN
FCC FILING FORMAT**

Type: ATW-C3
Polarization: Horizontal

Angle	Field	ERP (kW)	ERP (dBk)
0	0.985	873.213	29.411
10	0.998	896.415	29.525
20	0.998	896.415	29.525
30	0.985	873.213	29.411
40	0.961	831.179	29.197
50	0.928	775.075	28.893
60	0.891	714.502	28.540
70	0.854	656.392	28.172
80	0.820	605.167	27.819
90	0.787	557.439	27.462
100	0.749	504.907	27.032
110	0.696	435.980	26.395
120	0.618	343.736	25.362
130	0.517	240.563	23.812
140	0.403	146.170	21.649
150	0.303	82.629	19.171
160	0.270	65.611	18.170
170	0.311	87.050	19.398
180	0.373	125.218	20.977
190	0.414	154.258	21.882
200	0.414	154.258	21.882
210	0.374	125.890	21.000
220	0.311	87.050	19.398
230	0.270	65.611	18.170
240	0.303	82.629	19.171
250	0.402	145.445	21.627
260	0.517	240.563	23.812
270	0.618	343.736	25.362
280	0.696	435.980	26.395
290	0.748	503.560	27.021
300	0.787	557.439	27.462
310	0.820	605.167	27.819
320	0.854	656.392	28.172
330	0.891	714.502	28.540
340	0.927	773.406	28.884
350	0.961	831.179	29.197



Electronics Research, Inc.
7777 Gardner Road
Chandler, Indiana U.S.A 47610

EXHIBIT B-3

ANTENNA RELATIVE FIELD VALUES

**PROPOSED WDLI-DT
CHANNEL 49 - CANTON, OHIO**

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CONTOUR POPULATION
 48 DBU : 3,854,450
 41 DBU : 4,155,711

SMITH and FISHER

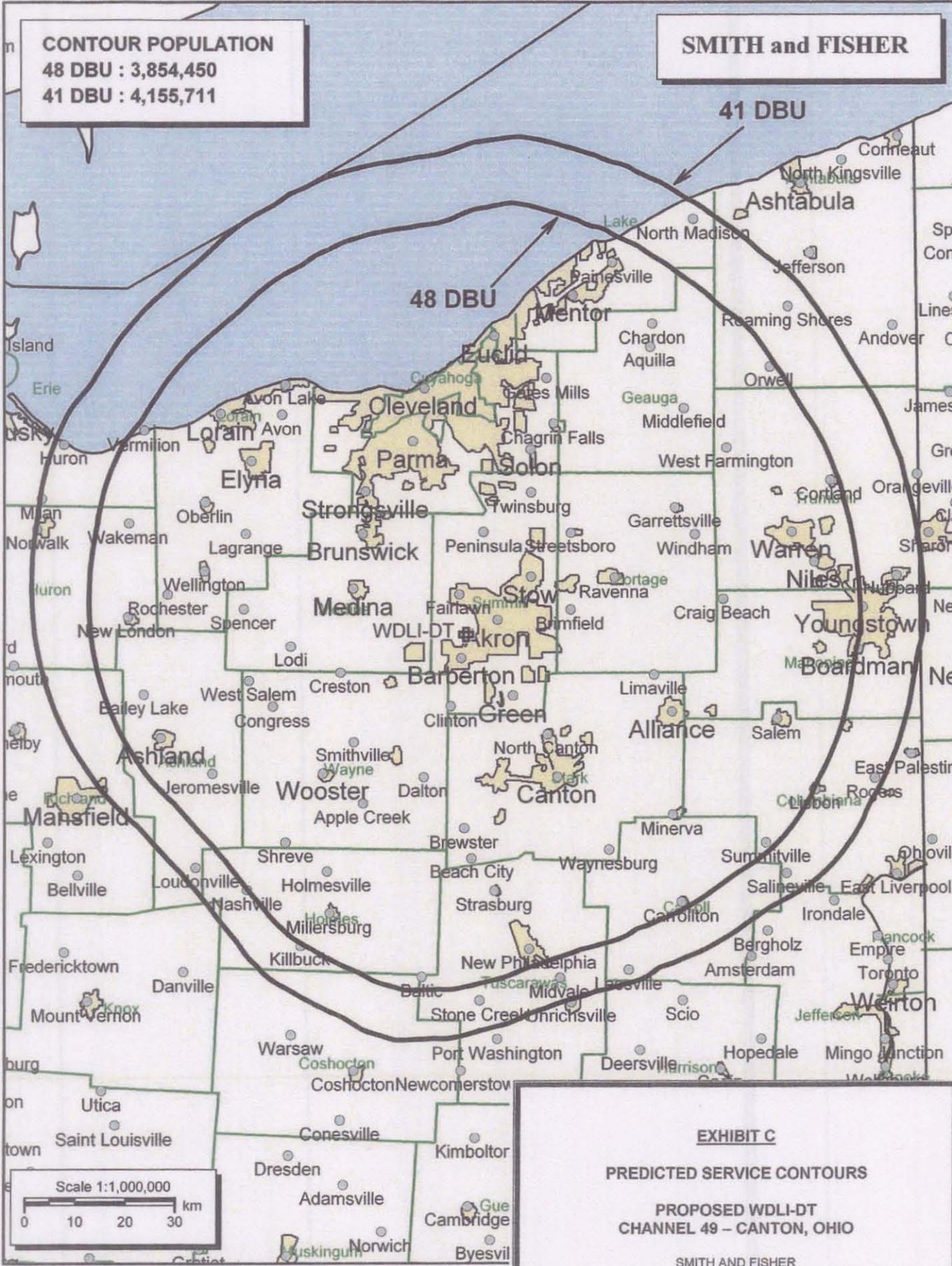


EXHIBIT C
PREDICTED SERVICE CONTOURS
PROPOSED WDLI-DT
CHANNEL 49 - CANTON, OHIO
 SMITH AND FISHER

INTERFERENCE STUDY
PROPOSED WDLI-DT
CHANNEL 49 – CANTON, OHIO

The instant application specifies an ERP of 900 kw (directional) at 292 meters above average terrain, which we have determined to be allowable under the FCC's recently approved interference standards with respect to various post-transition digital television facilities as they will exist on or before February 17, 2009, the date by which all stations must operate with the parameters recently adopted in the Commission's DTV Table of Allotments.

In evaluating the interference effect of this proposal, we have relied upon the V-Soft Communications "Probe III" computer program, which has been found generally to mimic the FCC's program. In conducting our studies, we employed a cell size of 1.0 kilometers and an increment spacing of 0.1 kilometer along each radial. In addition, we utilized the 2000 U.S. Census. Changes in interference caused by proposed WDLI-DT to other pertinent stations are tabulated in Exhibit D-2.

As shown, the proposed WDLI-DT facility would not contribute more than 0.5% interference (beyond that which is caused by the allotted WDLI-DT facility) to the service population of any potentially affected post-transition DTV station.

A Longley-Rice interference study also reveals that the proposed WDLI-DT facility does not cause significant (0.5%) interference within the protected service contour of any potentially affected Class A low power television station.

Therefore, this proposal meets the FCC's *de minimis* interference standards for DTV operations.

INTERFERENCE STUDY SUMMARY

PROPOSED WDLI-DT
CHANNEL 49 – CANTON, OHIO

<u>Call Sign</u>	<u>City, State</u>	<u>CH.</u>	<u>Coverage Population</u>	<u>Interference Population From WDLI-DT*</u>	<u>%</u>
WNWO-DT	Toledo, OH	49	1,891,522	9,610	0.50
WEAO-DT	Akron, OH	50	3,904,263	733	<0.1
WPXI-DT	Pittsburgh, PA	48	3,309,323	0	0
WTAP-DT	Parkersburg, WV	49	351,880	1,656	0.47

*Above that caused by the allotment facility.

Note: This study utilized a cell size of 1.0 km and an increment spacing of 0.1 km.

EXHIBIT E

POWER DENSITY CALCULATION

PROPOSED WDLI-DT
CHANNEL 49 – CANTON, OHIO

Since the FCC considers the possible biological effects of RF transmissions in its environmental determinations, we have studied the matter with respect to this Canton facility. Employing the methods set forth in *OET Bulletin No. 65* and considering a main-lobe effective radiated power of 900 kw, an antenna radiation center 315 meters above ground, and the elevation pattern of the ERI antenna, maximum power density two meters above ground of 0.0010 mw/cm^2 is calculated to occur 78 meters north of the base of the tower. Since this is only 0.2 percent of the 0.45 mw/cm^2 reference for uncontrolled environments (areas with public access) surrounding a facility operating on Channel 49 (680-686 MHz), a grant of this proposal may be considered a minor environmental action with respect to public and occupational ground-level exposure to nonionizing electromagnetic radiation.

Further, the station owner will take whatever precautionary steps are necessary, such as reducing power or leaving the air temporarily, to ensure that workers operating in the vicinity of the antenna are not exposed to excessive nonionizing radiation.

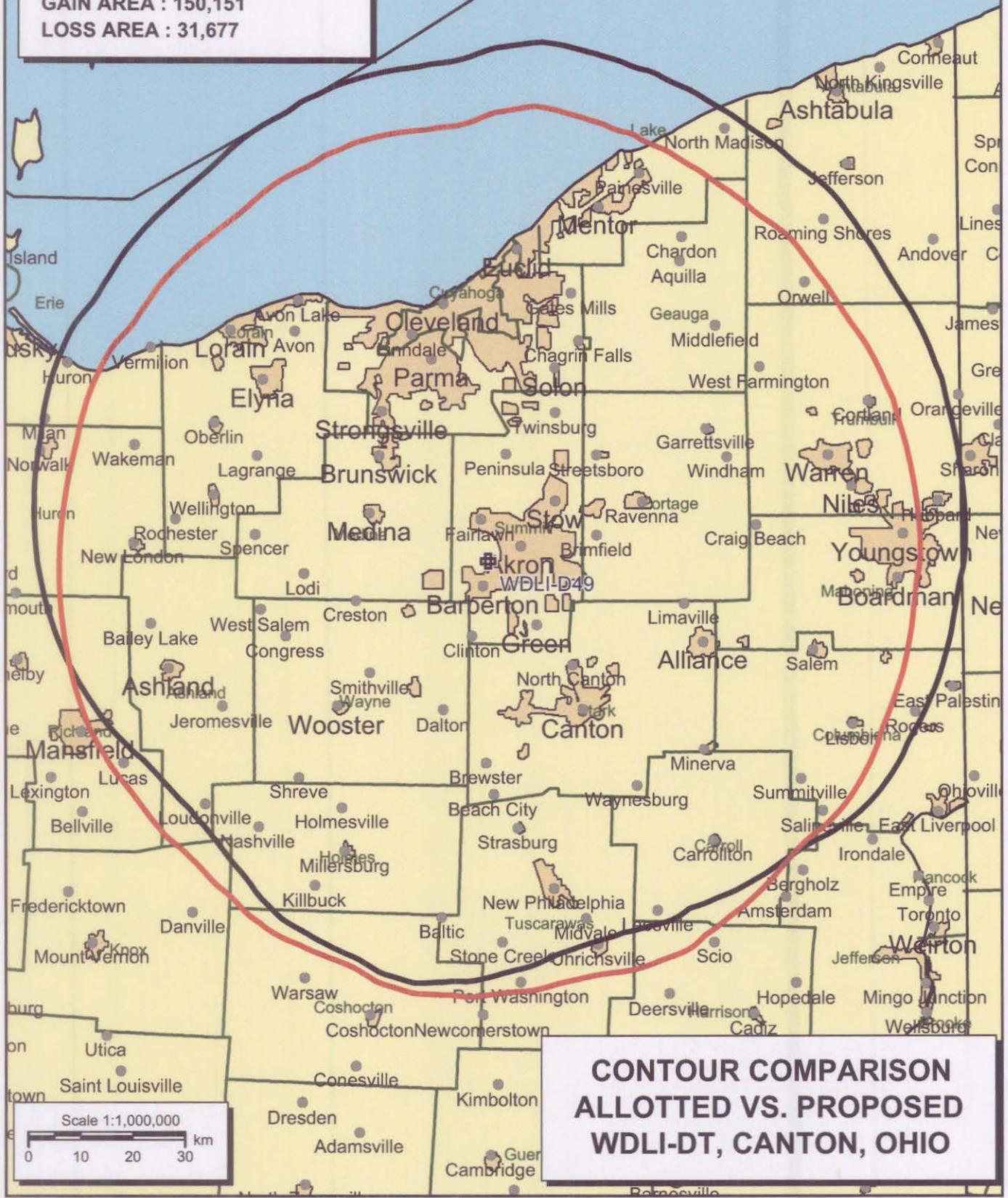
ATTACHMENT 2

**Primary Contour Comparison and Population Coverage
WDLI-DT, Canton, Ohio
Allocated Channel 39 and Proposed Channel 49**

CONTOUR POPULATION
ALLOTTED (CH. 39) : 4,037,237
PROPOSED (CH. 49) : 4,155,711
GAIN AREA : 150,151
LOSS AREA : 31,677

■ ALLOTTED (CH. 39) 41 DBU
 ■ PROPOSED (CH. 49) 41 DBU

SMITH and FISHER



CONTOUR COMPARISON
ALLOTTED VS. PROPOSED
WDLI-DT, CANTON, OHIO