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

FILED/ACCEPTED

JUN 20 2008

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Amendment of Section 73.622(b)) MB Docket No. 08-____
Digital Television Table of Allotments,) RM-____
Hendersonville, Tennessee)

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 WPGD-DT, Hendersonville, Tennessee (Facility ID No. 60820) ("Petitioner" 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>
Hendersonville, TN	51	33

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

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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 substitutions to the DTV Table of Allotments.² Petitioner therefore seeks to maximize its operating power and service by substituting DTV channel 33 for DTV channel 51 at Hendersonville, Tennessee, for use by Station WPGD-DT at the same transmitter site authorized in its current license for channel 51.³

2. As set forth in the attached engineering of Kevin T. Fisher, Smith and Fisher, 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 33 at Hendersonville 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

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

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 BLCDDT-20050124ADA.

⁴ *See*, Attachment 1, pg. 1.

between the two channels, proposed channel 33 will serve an additional population of 218,544.⁵

4. In addition, operation on channel 33 would alleviate concerns of Cellular South, Inc. of possible interference to its operations should WPGD-DT maximize operations on channel 51. Cellular South, Inc. operates in the WPGD-DT service area in the lower 700 MHz band, and has agreed to assist WPGD-DT in a move to channel 33.⁶

5. 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 220,000 additional persons will be served by a DTV channel 33 operation than on channel 51. Accordingly, a channel 33 DTV allocation would better serve to settle and confirm the public's acceptance and access to digital television.

6. The proposed substitution of channel 33 for channel 51 would also permit WPGD-DT to replicate a substantially larger portion of its existing service area on analog channel 50, from its current antenna site, while complying with the coverage and allocation criteria set forth in the Commission's Rules. Accordingly, Trinity respectfully

⁵ Allotted channel 51 serves 1,750,793, while proposed channel 33 will serve a population of 1,969,337.

⁶ As noted in the 2002 *Reallocation Report & Order*, 17 FCC Rcd 1022 (¶¶ 182-184), the public interest is served by providing new, enhanced, and reliable wireless services to consumers.

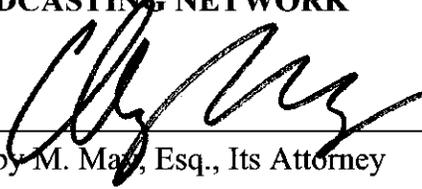
submits that this proposed DTV channel substitution would greatly serve the public interest.

7. Accordingly, based on the foregoing, the Commission is respectfully requested to amend the DTV Table of Allotments by substituting the allocation for Hendersonville, Tennessee from channel 51 to channel 33.

Respectfully submitted,

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

By: _____


Colby M. May, Esq., 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 WPGD-DT on Channel 51 in Hendersonville, Tennessee, in support of its Petition for Rulemaking to substitute Channel 33 for Channel 51 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 presently licensed 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.

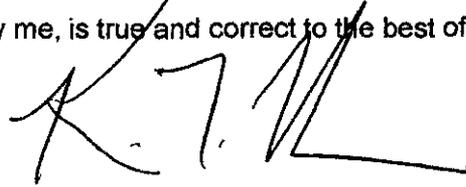
Accordingly, it is respectfully requested that the Commission substitute the allotment channel for WPGD-DT (with the specified operating parameters) in the digital television allotment table in Section 73.622(i) of the FCC Rules as follows:

Present Allotment
Hendersonville, TN 51

Proposed Allotment
Hendersonville, TN 33

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 read 'K. T. Fisher', written over the text of the declaration.

KEVIN T. FISHER

June 18, 2008

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 51 Analog TV, if any 50

2. Zone: I II III

3. Antenna Location Coordinates: (NAD 27)
36° 16' 05" N S Latitude
86° 47' 45" E W Longitude

4. Antenna Structure Registration Number: 1233975
 Not applicable FAA Notification Filed with FAA

5. Antenna Location Site Elevation Above Mean Sea Level: 231.7 meters

6. Overall Tower Height Above Ground Level: 392.9 meters

7. Height of Radiation Center Above Ground Level: 364 meters

8. Height of Radiation Center Above Average Terrain: 412 meters

9. Maximum Effective Radiated Power (average power): 1,000 kW

10. Antenna Specifications:

Manufacturer	Model
ERI	ATW20HS3-HSO-33H

a. Not Applicable

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

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

Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value
0		60		120		180		240		300	
10		70		130		190		250		310	
20		80		140		200		260		320	
30		90		150		210		270		330	
40		100		160		220		280		340	
50		110		170		230		290		350	
Additional Azimuths											

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

Exhibit No.
--

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.
E

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.
D

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

Exhibit No.
F

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

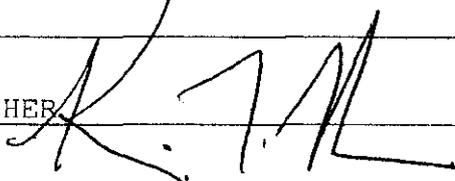
I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular 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).

ENGINEERING STATEMENT

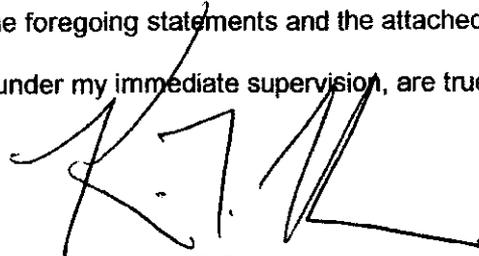
The engineering data contained herein have been prepared on behalf of TRINITY BROADCASTING NETWORK, licensee of WPGD-DT, Channel 51 in Hendersonville, Tennessee, in support of this Application for Construction Permit for a post-transition facility on Channel 33. The facility proposed herein is identical to that specified in the station's Petition for Rulemaking to substitute Channel 33 for Channel 51.

It is proposed to mount a standard ERI omnidirectional antenna at the 364-meter level of the existing 393-meter tower on which the licensed WPGD-DT antenna is located. Exhibit B provides elevation pattern data for the proposed antenna, and operating parameters for the facility are tabulated in Exhibit C. Exhibit D 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 provided in Exhibit E and a power density calculation appears in Exhibit F.

It is important to note that, while the proposed effective radiated power of 1000 kw exceeds that allowable in Section 73.622(f)(8)(i) of the Commission's Rules, the coverage of the proposed facility does not exceed that of the largest station in the market (WSMV-DT, Channel 10 in Nashville, Tennessee), as allowed in Section 73.622(f)(5) of the Rules.

Since no change in the 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 1233975 to this tower.

I declare under penalty of perjury that the foregoing statements and the attached Engineering Report, which was 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. Fisher', is written over the text of the declaration.

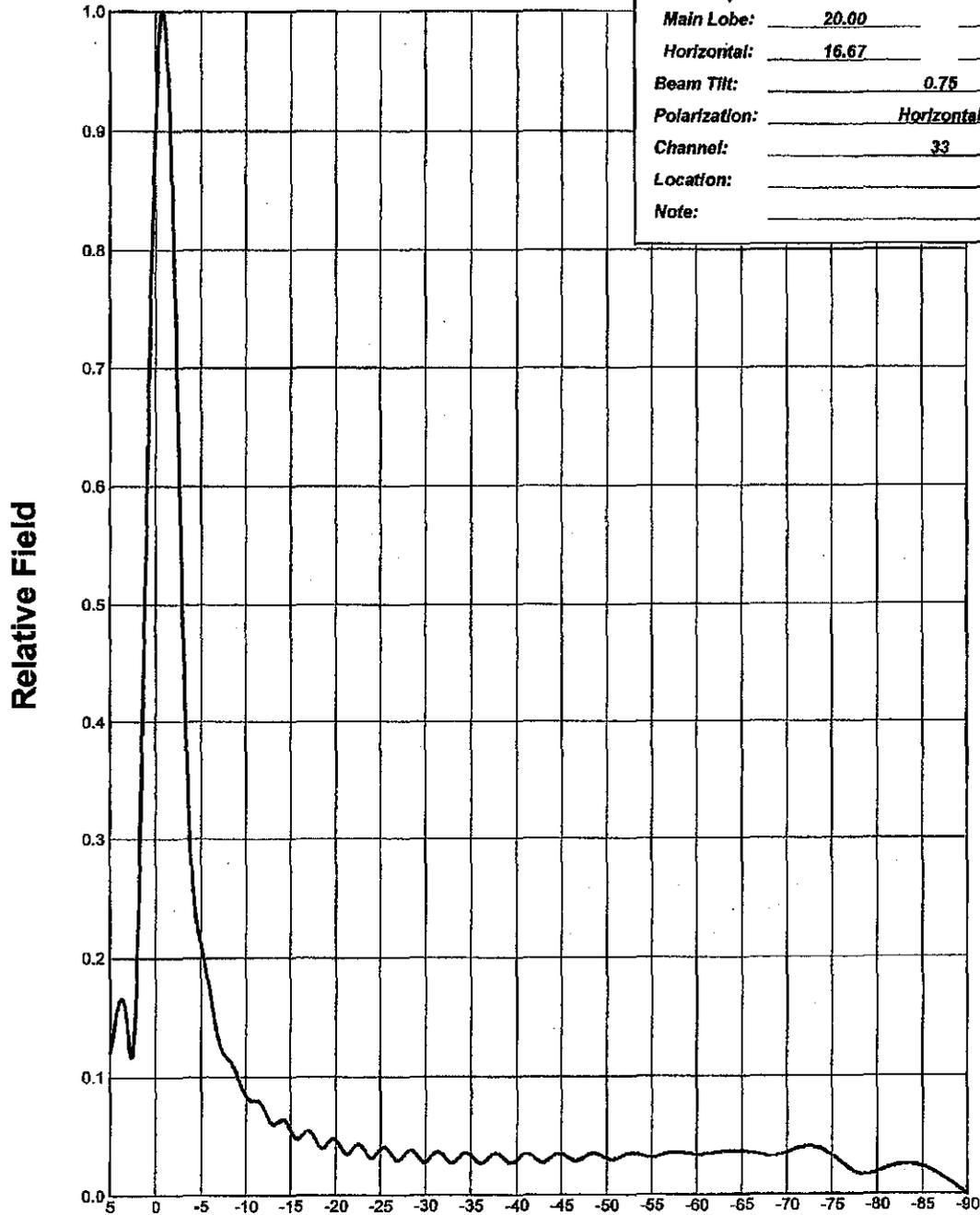
KEVIN T. FISHER

June 18, 2008



ELEVATION PATTERN

Type:	ATW20HS3H	
Directivity:	Numeric	dBd
Main Lobe:	20.00	13.01
Horizontal:	16.67	12.22
Beam Tilt:	0.75	
Polarization:	Horizontal	
Channel:	33	
Location:		
Note:		



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

EXHIBIT B

ANTENNA ELEVATION PATTERN

PROPOSED WPGD-DT
CHANNEL 33 - HENDERSONVILLE, TENNESSEE

SMITH AND FISHER

EXHIBIT C

PROPOSED OPERATING PARAMETERS

PROPOSED WPGD-DT
CHANNEL 33 – HENDERSONVILLE, TENNESSEE

Transmitter Power Output:	76.3 kw
Transmission Line Efficiency:	65.5%
Antenna Power Gain – Main Lobe:	20.0
Effective Radiated Power – Main Lobe:	1000 kw
Transmitter Make and Model:	Type-accepted
Transmission Line Make and Model:	Andrew MACX650
Size and Type:	6-1/8" rigid
Length:	1,400 feet
Antenna Make and Model:	ERI ATW20HS3-HSO-33H
Orientation	Omnidirectional
Beam Tilt	0.75 degrees
Radiation Center Above Ground:	364 meters
Radiation Center Above Mean Sea Level:	596 meters

CONTOUR POPULATION
48 DBU : 1,798,270
41 DBU : 1,969,337

SMITH and FISHER

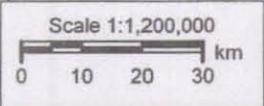
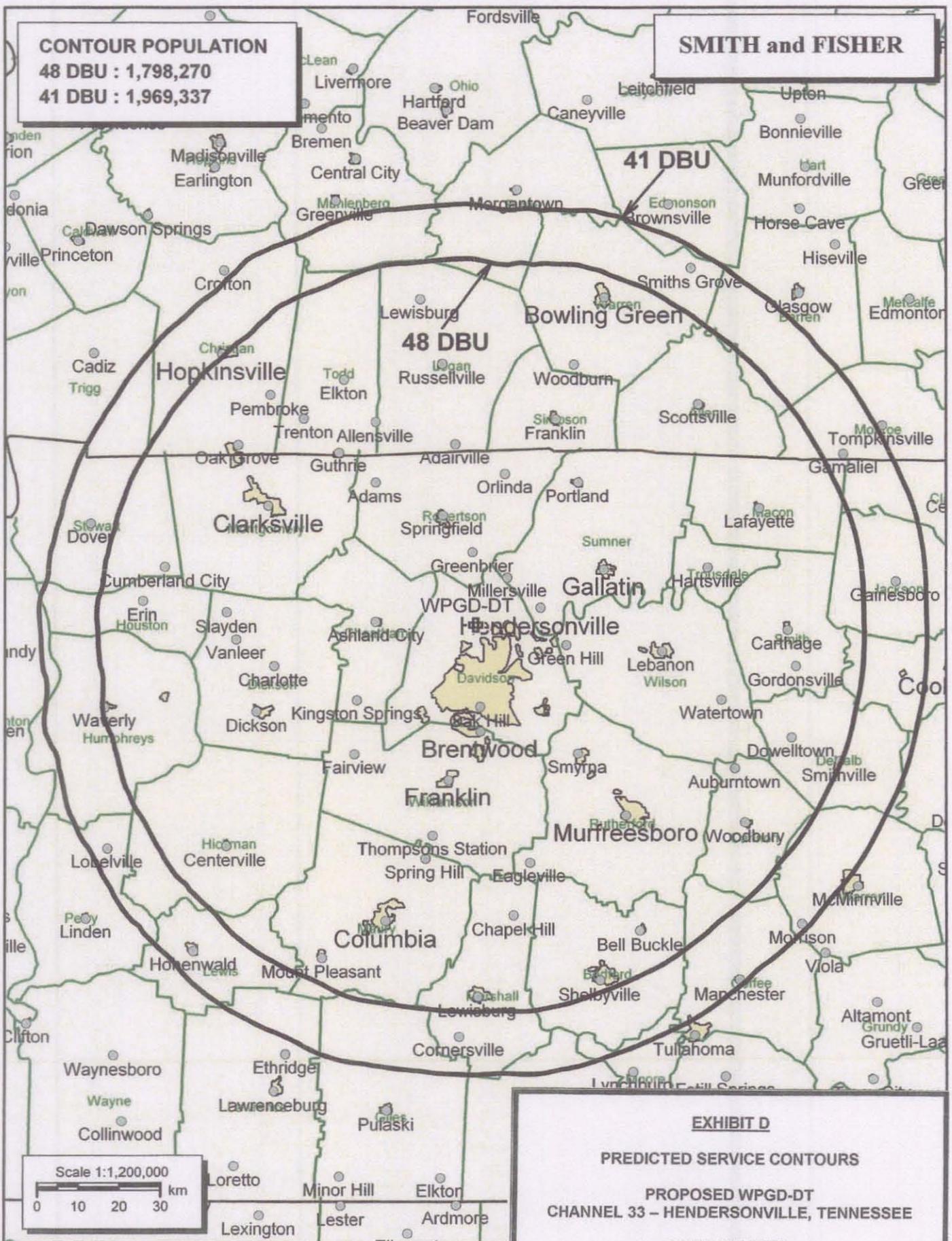


EXHIBIT D
PREDICTED SERVICE CONTOURS
PROPOSED WPGD-DT
CHANNEL 33 - HENDERSONVILLE, TENNESSEE
SMITH AND FISHER

INTERFERENCE STUDY
PROPOSED WPGD-DT
CHANNEL 33 – HENDERSONVILLE, TENNESSEE

The instant application specifies an ERP of 1000 kw (omnidirectional) at 412 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 2.0 kilometers and an increment spacing of 1.0 kilometer along each radial. In addition, we utilized the 2000 U.S. Census. Changes in interference caused by proposed WPGD-DT to other pertinent stations are tabulated in Exhibit E-2.

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

A Longley-Rice interference study also reveals that the proposed WPGD-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 WPGD-DT
CHANNEL 33 – HENDERSONVILLE, TENNESSEE

<u>Call Sign</u>	<u>City, State</u>	<u>CH.</u>	<u>Coverage Population</u>	<u>Interference Population From WPGD-DT*</u>	<u>%</u>
WAAY-DT	Huntsville, AL	32	1,311,245	982	<0.1
WCFT-DT (CP)	Tuscaloosa, AL	33	1,403,071	1,866	0.1
WNGH-DT (CP)	Chatsworth, GA	33	2,871,484	11,489	0.4

*Above that caused by the allotment facility.

EXHIBIT F

POWER DENSITY CALCULATION
PROPOSED WPGD-DT
CHANNEL 33 – HENDERSONVILLE, TENNESSEE

Since the FCC considers the possible biological effects of RF transmissions in its environmental determinations, we have studied the matter with respect to this Hendersonville facility. Employing the methods set forth in *OET Bulletin No. 65* and considering a main-lobe effective radiated power of 1000 kw, an antenna radiation center 364 meters above ground, and the vertical pattern of the ERI antenna, maximum power density two meters above ground of 0.00039 mw/cm^2 is calculated to occur 118 meters from the base of the tower. Since this is only 0.1 percent of the 0.39 mw/cm^2 reference for uncontrolled environments (areas with public access) surrounding a facility operating on Channel 33 (584-590 MHz), a grant of this proposal may be considered a minor environmental action with respect to public 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.

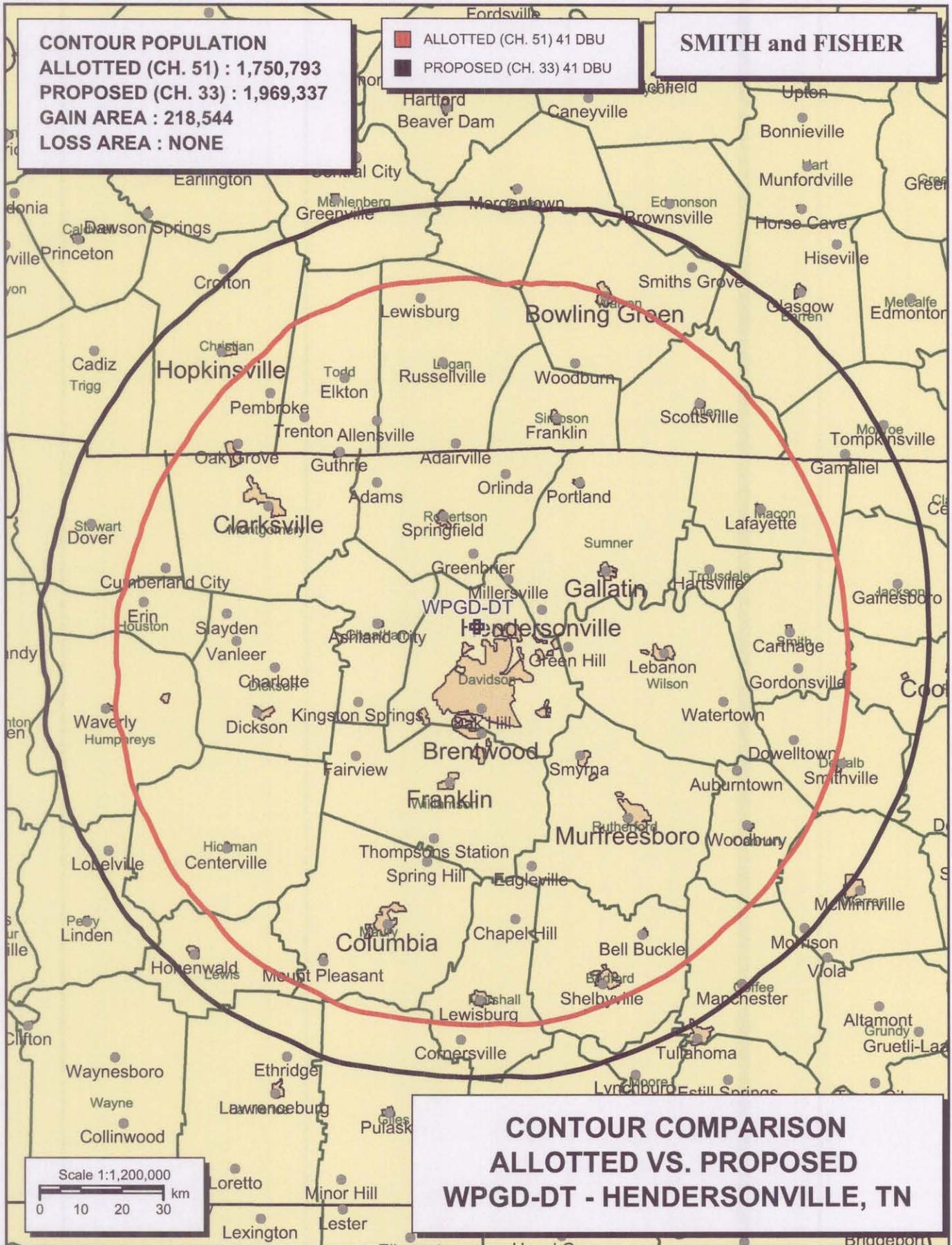
ATTACHMENT 2

**Primary Contour Comparison and Population Coverage
WPGD-DT, Hendersonville, Tennessee
Allocated Channel 51 and Proposed Channel 33**

CONTOUR POPULATION
ALLOTTED (CH. 51) : 1,750,793
PROPOSED (CH. 33) : 1,969,337
GAIN AREA : 218,544
LOSS AREA : NONE

■ ALLOTTED (CH. 51) 41 DBU
■ PROPOSED (CH. 33) 41 DBU

SMITH and FISHER



CONTOUR COMPARISON
ALLOTTED VS. PROPOSED
WPGD-DT - HENDERSONVILLE, TN