

 DowLohnes

COPY

Scott S. Patrick

D 202.776.2885 E spatrack@dowlohn.com

June 19, 2008

VIA COURIER

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Attention: Video Division
Media Bureau

Re: WWPX-DT, Martinsburg, West Virginia
Facility I.D. No. 23264
Petition to Amend the DTV Table of Allotments

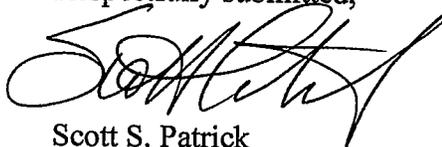
FILED/ACCEPTED
JUN 19 2008
Federal Communications Commission
Office of the Secretary

Dear Ms. Dortch:

On behalf of Paxson Washington-60 License, Inc., licensee of commercial television station WWPX-DT, Martinsburg, West Virginia, we hereby transmit an original and four copies of a *Petition for Rule Making* requesting the substitution of Channel 51 for Channel 12 at Martinsburg, West Virginia in the DTV Table of Allotments.

If any additional information is needed in connection with this matter, please contact me.

Respectfully submitted,



Scott S. Patrick

Enclosure

cc: Ms. Joyce Bernstein (via e-mail)
Mr. Ron Graser (via e-mail)

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

FILED/ACCEPTED
JUN 19 2008
Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Amendment of Section 73.622(i))
Post-Transition Table of Allotments,)
Digital Television Broadcast Stations)
(Martinsburg, West Virginia))
)

MB Docket No. _____
RM- _____

To: Office of the Secretary
Attn: Chief, Video Division
Media Bureau

PETITION FOR RULE MAKING
TO AMEND THE DTV TABLE OF ALLOTMENTS

By its attorney and pursuant to Sections 1.401, 73.616, and 73.622(a) of the Commission's Rules,¹ Paxson Washington-60 License, Inc. ("Licensee"), licensee of WWPX-DT, Martinsburg, West Virginia (the "Station"), hereby respectfully petitions the Commission to institute a rulemaking to amend Section 73.622(i), the Post-Transition DTV Table of Allotments, by substituting Channel 51 as the Station's post-transition DTV channel in lieu of Channel 12. This instant petition is submitted following the Commission's announcement that it would resume acceptance of channel change petitions.²

¹ 47 C.F.R. §§ 1.401, 73.616, 73.622(a) as amended by Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, 23 FCC Red 2994, ¶ 128 (rel. Dec. 31, 2007).

² See Commission Lifts the Freeze on the Filing of Maximization Applications and Petitions for Digital Channel Substitutions Effective Immediately, *Public Notice*, DA 08-1213 at 2 (rel. May 30, 2008).

Specifically, the Post-Transition DTV Table of Allotments would be amended as follows:

	<u>Present</u>	<u>Proposed</u>
Martinsburg, WV	<u>12</u>	<u>51</u>

Licensee is seeking the channel substitution because operation on Channel 51 would allow the Station to better serve the Washington, DC DMA, to which it belongs. As the attached Technical Exhibit demonstrates, the proposed facility complies with the Commission's rules for post-transition DTV operation. The Station's proposed service area encompasses its community of license, and the proposed parameters comply with the Commission's interference standards.³ The Technical Exhibit also demonstrates that the proposed facility would reach approximately 170% of the currently allotted post-transition DTV service area population.⁴

For the convenience of the Commission, we hereby provide the present and proposed "Appendix B" parameters:

Present:

Facility ID	State and City		NTSC		DTV				
			Ch	Ch	ERP kW	HAAT (m)	Antenna ID	Latitude (DDMMSS)	Longitude (DDDMMSS)
23264	WV	MARTINSBURG	60	12	23	314		392727	780352

Proposed:

23264	WV	MARTINSBURG	60	<u>51</u>	<u>860</u>	<u>403</u>		<u>385718</u>	<u>780132</u>
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³ See Attachment A, Technical Exhibit at 1-2; 47 C.F.R. §§ 73.616(b),(e), 73.623(d), 73.625(a).

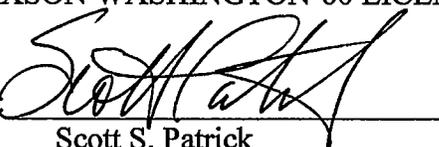
⁴ See Attachment A, Technical Exhibit at 1.

For the foregoing reasons, Licensee respectfully requests that the Commission amend the Post-Transition DTV Table of Allotments as proposed. Adoption would serve the public interest by permitting the Station to improve service to its DMA.

Respectfully submitted,

PAXSON WASHINGTON-60 LICENSE, INC.

By


Scott S. Patrick

Its Attorney

Dow Lohnes PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036-6802
(202) 776-2000

Dated: June 19, 2008

ATTACHMENT A

Technical Exhibit

TECHNICAL EXHIBIT
PETITION FOR RULE MAKING TO
MODIFY THE DTV TABLE OF ALLOTMENTS
STATION WWPX-DT
MARTINSBURG, WEST VIRGINIA

This Technical Exhibit was prepared on behalf of television station WWPX-DT assigned to Martinsburg, West Virginia (analog channel 60, pre-transition digital channel 12, and current post-transition digital channel 12) in support of a *Petition for Rule Making* to modify the DTV allotment of WWPX-DT to substitute channel 51 for the current channel 12 DTV allotment.

Station WWPX-DT was assigned channel 12 for its post-transition Appendix B operation with a non-directional antenna effective radiated power (ERP) of 23 kilowatts (kW) and an antenna height above average terrain (HAAT) of 314 meters. However, the Appendix B facilities will not permit WWPX-DT to adequately serve the Washington, DC designated market area (DMA) to which it belongs. Below are a tabulation of the predicted service population and area based on the current WWPX analog and DTV operations, proposed post transition Appendix B allotment, and the herein proposed WWPX-DT Appendix B facilities:

Facility	Service Population	Service Area
Licensed WWPX(TV) Analog (Ch. 60 2040 kW-DA/300 m)	658,249	9,541 km ²
Licensed WWPX-DT Digital (Ch. 12 23 kW-ND/314 m)	2,199,232	23,755 km ²
WWPX-DT Appendix B (Ch. 31 23 kW-ND/314 m)	2,471,000	24,844 km ²
Proposed WWPX-DT Appendix B (Ch. 51 860 kW-ND/403 m)	4,271,732	28,307 km ²

As indicated above, the herein proposed Appendix B facilities will allow a substantial improvement in service as compared to the present facilities. The proposal will also provide the required principal city coverage to Martinsburg, West Virginia.

Therefore, WWPX-DT respectfully requests that the Commission modify Appendix B to specify operation on Channel 51 from its proposed site using a non-directional type antenna pattern. The following provides details of WWPX-DT's proposed modification of its Appendix B facilities.

Facility ID	State & City		NTSC		DTV						
			Chan	Chan	ERP (kW)	HAAT (m)	Latitude (DDMMSS)	Longitude (DDMMSS)	Area (sq km)	Population (thousand)	Percent IX Received
23264	WV	Martinsburg	60	51	860	403	385718	780132	28,307	4272	22.6
Non-Directional Antenna Pattern ; Antenna Rc=669.4 m AMSL											

The proposed WWPX-DT effective radiated power and antenna height above average terrain does not exceed that permitted by Section 73.622(f)(8) of the Commission Rules. The proposed WWPX-DT Appendix B facilities will comply with the 0.5 percent interference standard adopted by the FCC for post-transition DTV operations. Interference calculations were made using the FCC's OET-69 post transition interference with a 2 kilometer grid, a 1 kilometer terrain increment, and the 2000 US Census.

The proposed WWPX-DT channel 51 operation is beyond the Canada coordination zone.

John A. Lundin

du Treil, Lundin & Rackley, Inc.
201 Fletcher Ave.
Sarasota, Florida 34237

June 18, 2008