

BUCKET FILED BY: JIMMIE

ORIGINAL

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
 )  
Amendment of Section 73.622(i) ) RM-11442  
Table of Allotments )  
Digital Television Broadcast Stations )  
(Danville, Kentucky) )

To: Office of the Secretary  
Attn: Chief, Video Services Division

FILED/ACCEPTED  
JUL 31 2008  
Federal Communications Commission  
Office of the Secretary

WITHDRAWAL OF PETITION FOR RULEMAKING

WDKY Licensee, LLC ("WDKY"), licensee of WDKY-TV, channel 56, and WDKY-DT, channel 4, Danville, Kentucky, by the undersigned attorneys, hereby respectfully withdraws the Petition for Rulemaking ("Petition") that it filed on June 20, 2008. The Petition proposed that the Commission initiate a rulemaking proceeding to substitute and allot DTV channel 46 for WDKY-DT's assigned DTV channel 4 at Danville, Kentucky. WDKY has made an engineering determination that it is no longer interested in pursuing the channel change set forth in the proposal.<sup>1</sup>

Consequently, through this filing, WDKY respectfully requests that the proposal be formally withdrawn and that this proceeding be terminated. A declaration of David B. Amy, Senior Manager of WDKY, is attached to this Withdrawal of Petition for Rulemaking. See

<sup>1</sup> Concurrent with this filing, WDKY is filing a new Petition for Rulemaking with the FCC seeking to substitute and allot DTV channel 31 for its assigned DTV channel 4 at Danville.

Exhibit A. Mr. Amy's Declaration indicates that no person or entity has been paid or promised to pay WDKY, or any entity connected to WDKY, any consideration in connection with its withdrawal.

Respectfully submitted,

WDKY Licensee, LLC

By:   
Clifford M. Harrington  
Paul A. Cicelski

Its Attorneys

PILLSBURY WINTHROP SHAW PITTMAN LLP  
2300 N Street, N.W.  
Washington, D.C. 20037-1128  
(202) 663-8000

Dated: July 31, 2008

**EXHIBIT A**

**DECLARATION OF DAVID B. AMY**

**I, David B. Amy, Senior Manager of WDKY Licensee, LLC ("WDKY"), do hereby declare under penalty of perjury that the following is true and correct to the best of my personal knowledge and belief:**

1. On June 20, 2008, WDKY filed a Petition for Rule Making with the FCC seeking the substitution and allotment of DTV channel 46 for WDKY-DT's assigned DTV channel 4.
2. WDKY hereby withdraws that Petition for Rule Making.
3. Neither WDKY nor any of its principals has received or will receive money or other consideration in exchange for the withdrawal of its expression of interest contained in its Petition for Rule Making or the filing of its Withdrawal Pleading to which this Declaration is to be attached.

**WDKY Licensee, LLC**

By: \_\_\_\_\_

David B. Amy  
Senior Manager

Date:

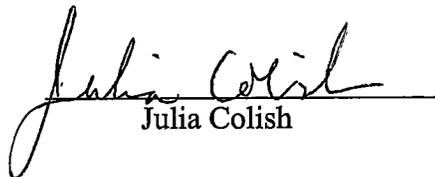
7/17/08

**CERTIFICATE OF SERVICE**

I, Julia Colish, a secretary with the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that a copy of the foregoing "Withdrawal of Petition for Rulemaking" was served via hand delivery on this 31<sup>st</sup> day of July, 2008 to the following:

Ms. Barbara A. Kreisman  
Chief, Video Services Division  
Media Bureau  
Federal Communications Commission  
445 12th Street, S.W., Room 2-A666  
Washington, D.C. 20554

Ms. Joyce Bernstein  
Media Bureau  
Federal Communications Commission  
445 12th Street, S.W., Room 2-A847  
Washington, D.C. 20554

  
Julia Colish