

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of: }
 }
Pappas Telecasting of }
Central Nebraska, L.P. }
 }
To Amend the Post-Transition }
Digital Television Table of Allotment }
for Station KHGI-DT, Kearney, Nebraska }

MB Docket No.: _____

RM- _____

To: The Secretary
Attn: Chief, Video Division
Media Bureau

FILED/ACCEPTED

AUG 19 2008

Federal Communications Commission
Office of the Secretary

AMENDMENT TO
PETITION FOR RULEMAKING

Pappas Telecasting of Central Nebraska, L.P. ("Petitioner"), 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 Amendment to the Petition for Rulemaking, filed on July 15, 2008, which proposed to change the post-transition digital television ("DTV") channel allotment of Station KHGI-DT, Kearney, Nebraska (the "Station") to Channel 13, and to make related technical changes to the Station's technical parameters.

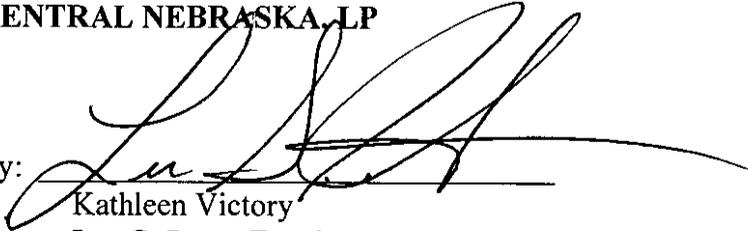
Attached hereto is an amended Engineering Statement which provides detailed information regarding the proposed operating parameters of proposed facility. As detailed therein, the proposed operation will provide the required interference protection to all authorized and previously proposed post-transition DTV allotments, and will permit the completion of construction in a more expeditious manner and will permit the licensee to preserve its limited financial resources.

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Therefore, Petitioner respectfully requests that the post-transition DTV Table of Allotments be amended for KHGI-TV to specify Channel 13 and the technical parameters provided in the attached Engineering Statement. The requested changes comply with all applicable legal and technical requirements and would serve the public interest.

Respectfully submitted,

**PAPPAS TELECASTING OF
CENTRAL NEBRASKA, LP**

By: 

Kathleen Victory

Lee G. Petro, Esquire

FLETCHER, HEALD & HILDRETH, PLC

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Its Attorney

August 19, 2008

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of PAPPAS TELECASTING OF CENTRAL NEBRASKA, L. P., licensee of KHGI-DT on Channel 36 in Kearney, Nebraska, in support of its Petition for Rulemaking (as amended herein) to substitute Channel 13 for Channel 36 in the Commission's digital television Table of Allotments for post-transition operation. The proposed channel is currently the analog channel for KHGI-TV. If the Petition is granted, the station will simply convert the present analog transmitter to digital operation at the same site, using the presently licensed analog antenna.

Attached is the engineering portion of the 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 KHGI-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

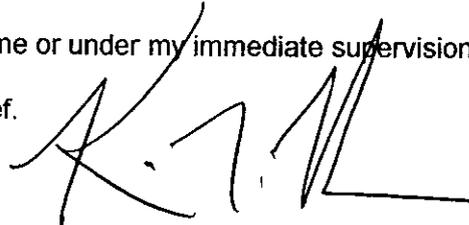
Kearney, NE 36

Proposed Allotment

Kearney, NE 13

SMITH AND FISHER

I declare under penalty of perjury that the foregoing statements and the attached engineering report, 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', with a horizontal line extending to the right from the end of the signature.

KEVIN T. FISHER

August 12, 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 13 Analog TV, if any 13

2. Zone: I II III

3. Antenna Location Coordinates: (NAD 27)
40° 39' 28" N S Latitude
98° 52' 04" E W Longitude

4. Antenna Structure Registration Number: 1026197
 Not applicable FAA Notification Filed with FAA

5. Antenna Location Site Elevation Above Mean Sea Level: 629.7 meters

6. Overall Tower Height Above Ground Level: 357.7 meters

7. Height of Radiation Center Above Ground Level: 342 meters

8. Height of Radiation Center Above Average Terrain: 340 meters

9. Maximum Effective Radiated Power (average power): 8.5 kW

10. Antenna Specifications:

Manufacturer	Model
GE	TY-70-H

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. --

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	1.000	60	0.775	120	0.775	180	1.000	240	0.775	300	0.775
10	0.969	70	0.884	130	0.695	190	0.969	250	0.884	310	0.695
20	0.884	80	0.969	140	0.695	200	0.884	260	0.969	320	0.695
30	0.775	90	1.000	150	0.775	210	0.775	270	1.000	330	0.775
40	0.695	100	0.969	160	0.884	220	0.695	280	0.969	340	0.884
50	0.695	110	0.884	170	0.969	230	0.695	290	0.884	350	0.969
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.
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 R. FISHER	Relationship to Applicant (e.g., Consulting Engineer) Broadcast Consultant	
Signature	Date August 12, 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

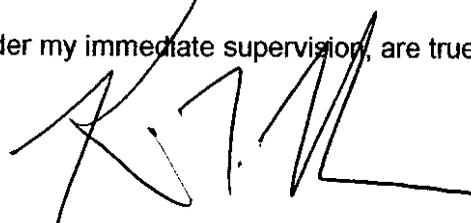
The engineering data contained herein have been prepared on behalf of PAPPAS TELECASTING OF CENTRAL NEBRASKA, L.P., licensee of KHGI-DT, Channel 36 in Kearney, Nebraska, in support of its Application for Construction Permit to operate with a maximized post-transition DTV facility on Channel 13, its present analog channel. It is important to note that the operating parameters specified in this proposal are the same as those in a KHGI-DT Petition for Rulemaking to substitute Channel 13 for Channel 36.

It is proposed to utilize the existing antenna, which is mounted at the 342-meter level of the existing 358-meter KHGI-TV tower. Exhibit B provides elevation and azimuth pattern data for a standard 12-bay superturnstile antenna (although the licensed antenna is a GE model, the patent for that antenna is now held by Dielectric, and those patterns are included herein). 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 43 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 0.5 kilometer and an increment spacing of 0.1 kilometer. 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 KHGI-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. In addition, the FCC has issued Antenna Structure Registration Number 1026197 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.

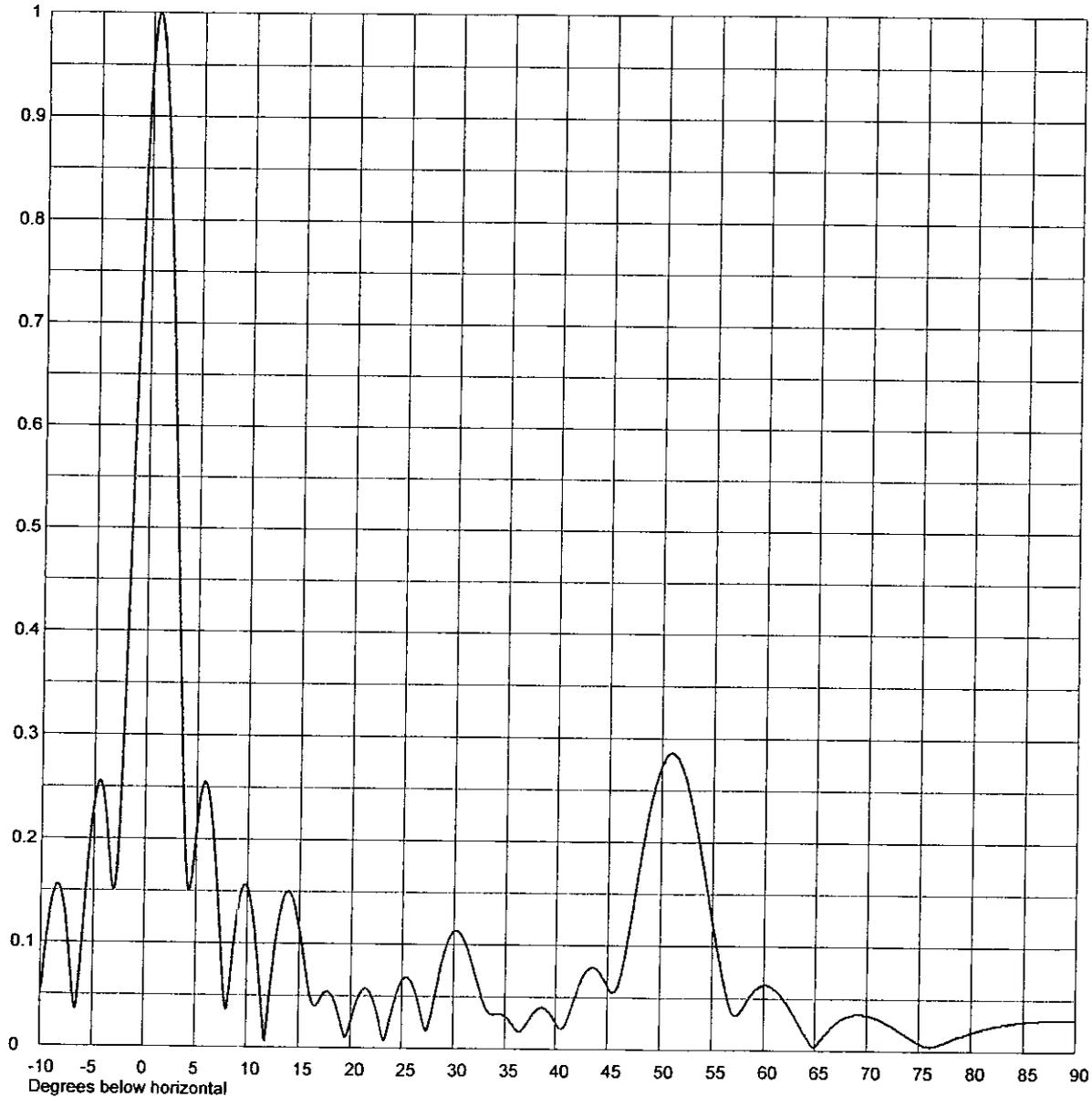
A handwritten signature in black ink, appearing to read 'K. T. Fisher', is written over the text of the declaration.

KEVIN T. FISHER

August 12, 2008

ELEVATION PATTERN

RMS Gain at Main Lobe	11.5 (10.61 dB)	Beam Tilt	0.75 Degrees
RMS Gain at Horizontal	10.3 (10.13 dB)	Frequency	213.00 MHz
Calculated / Measured	Calculated	Drawing #	12S115075-90



Remarks:

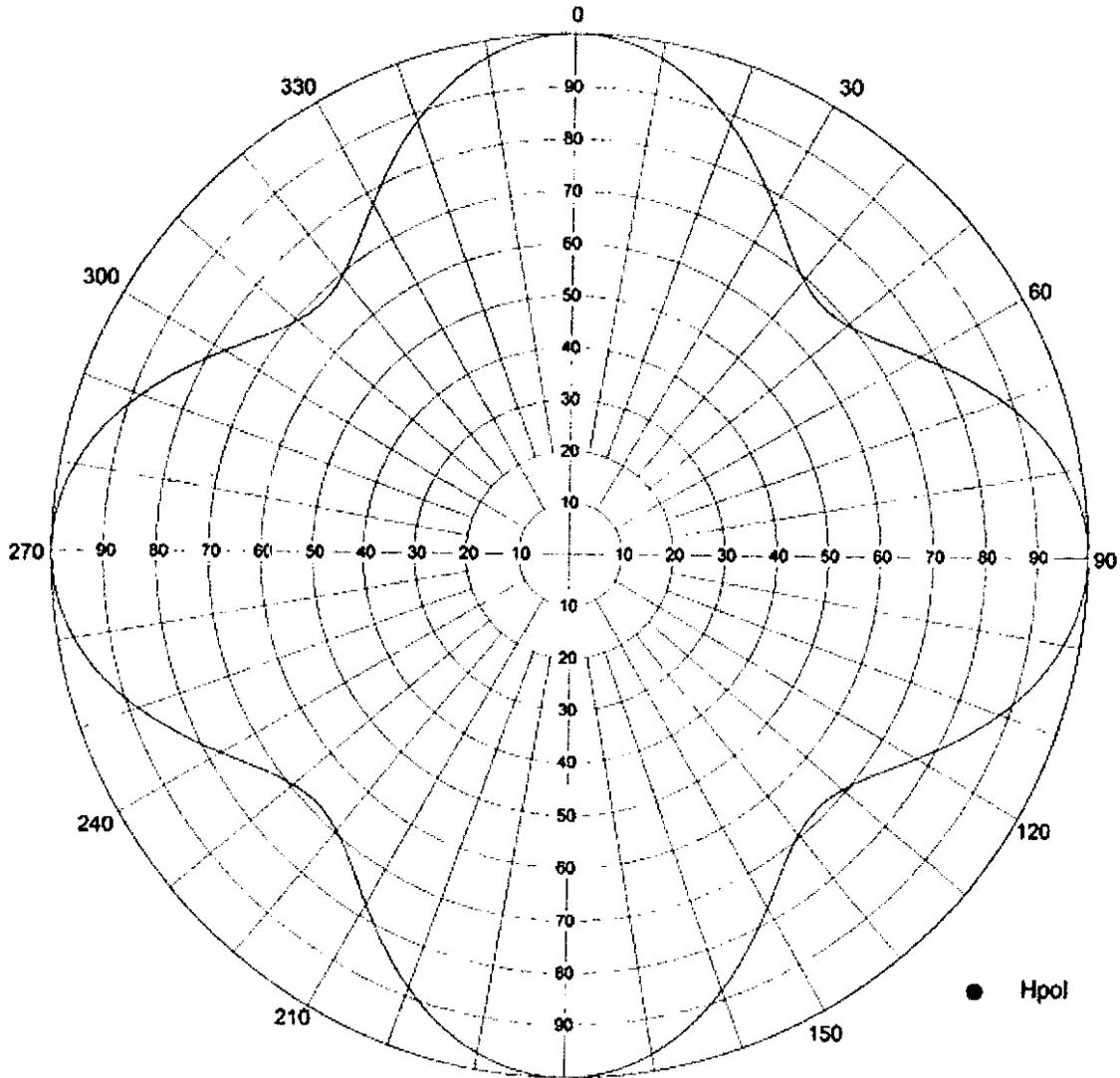
EXHIBIT B-1
ANTENNA ELEVATION PATTERN
PROPOSED KHGI-DT
CHANNEL 13 – KEARNEY, NEBRASKA
SMITH AND FISHER

Date Aug 7, 2008
Call Letters KHGI Channel 13
Location

Antenna Type TF-12

AZIMUTH PATTERN

Gain 1.36 (1.34) Hpol
Calculated / Measured Calculated
Frequency 213
Drawing #



Remarks:

And the actual data

8/11/2008

EXHIBIT B-2
ANTENNA AZIMUTH PATTERN
PROPOSED KHGI-DT
CHANNEL 13 – KEARNEY, NEBRASKA
SMITH AND FISHER

ANTENNA AZIMUTH PATTERN DATA

PROPOSED KHGI-DT
CHANNEL 13 - KEARNEY, NEBRASKA

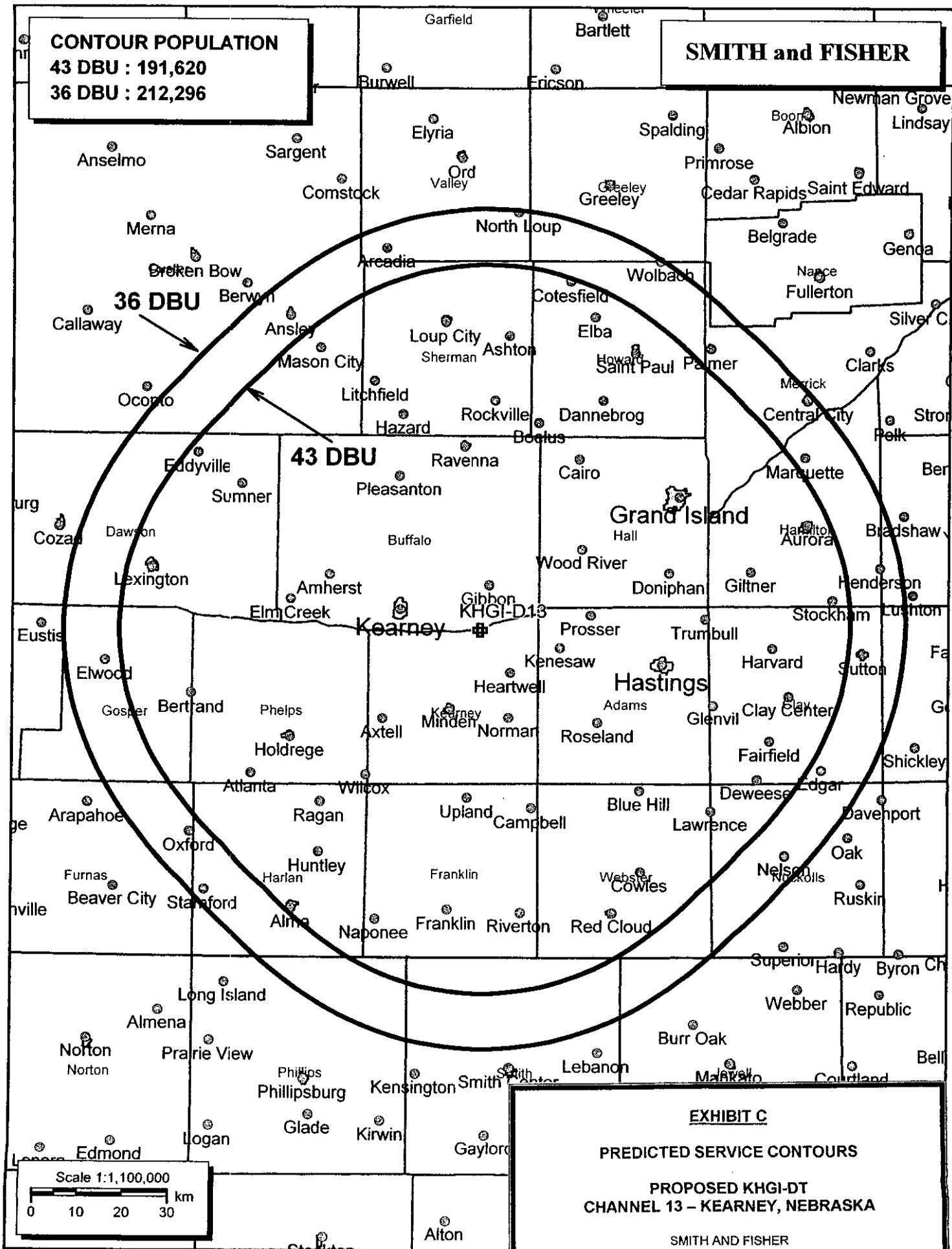
<u>Azimuth</u> <u>(° T)</u>	<u>Relative</u> <u>Field</u>	<u>ERP</u> <u>(dbk)</u>	<u>Azimuth</u> <u>(° T)</u>	<u>Relative</u> <u>Field</u>	<u>ERP</u> <u>(dbk)</u>
0	1.000	9.3	180	1.000	9.3
10	0.969	9.0	190	0.969	9.0
20	0.884	8.2	200	0.884	8.2
30	0.775	7.1	210	0.775	7.1
40	0.695	6.1	220	0.695	6.1
50	0.695	6.1	230	0.695	6.1
60	0.775	7.1	240	0.775	7.1
70	0.884	8.2	250	0.884	8.2
80	0.969	9.0	260	0.969	9.0
90	1.000	9.3	270	1.000	9.3
100	0.969	9.0	280	0.969	9.0
110	0.884	8.2	290	0.884	8.2
120	0.775	7.1	300	0.775	7.1
130	0.695	6.1	310	0.695	6.1
140	0.695	6.1	320	0.695	6.1
150	0.775	7.1	330	0.775	7.1
160	0.884	8.2	340	0.884	8.2
170	0.969	9.0	350	0.969	9.0

CONTOUR POPULATION

43 DBU : 191,620

36 DBU : 212,296

SMITH and FISHER



INTERFERENCE STUDY
PROPOSED KHGI-DT
CHANNEL 13 – KEARNEY, NEBRASKA

The instant application specifies an ERP of 8.5 kw (directional) at 340 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 0.5 kilometer 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 KHGI-DT to other pertinent stations are tabulated in Exhibit D-2.

As shown, the proposed KHGI-DT facility would not contribute more than 0.5% interference to the service population of any potentially affected post-transition DTV station.

A Longley-Rice interference study also reveals that the proposed KHGI-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.

EXHIBIT D-2INTERFERENCE STUDY SUMMARY
PROPOSED KHGI-DT
CHANNEL 13 – KEARNEY, NEBRASKA

<u>Call Sign</u>	<u>City, State</u>	<u>CH.</u>	<u>Coverage Population</u>	<u>Interference Population From KHGI-DT</u>	<u>%</u>
WIBW-DT BMPCDT-20080613AAC	Topeka, KS	13	713,733	1,504	0.21
WIBW-DT Allotment	Topeka, KS	13	675,888	2,368	0.35

Note: This study utilized a cell size of 0.5 km and an increment spacing of 0.1 km.

EXHIBIT E

POWER DENSITY CALCULATION
PROPOSED KHGI-DT
CHANNEL 13 – KEARNEY, NEBRASKA

Since the FCC considers the possible biological effects of RF transmissions in its environmental determinations, we have studied the matter with respect to this Kearney facility. Employing the methods set forth in *OET Bulletin No. 65* and considering a main-lobe effective radiated power of 8.5 kw, an antenna radiation center 342 meters above ground, and assuming an elevation pattern of a standard 12-bay superturnstile antenna, maximum power density two meters above ground of 0.00012 mw/cm^2 is calculated to occur 266 meters from the base of the tower. Since this is less than 0.1 percent of the 0.2 mw/cm^2 reference for uncontrolled environments (areas with public access) surrounding a facility operating on Channel 13 (210-216 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.