

ORIGINAL

BEFORE THE
Federal Communications Commission
 WASHINGTON, D.C. 20554

In the Matter of)
)
 Amendment of Section 73.622(i)) MB Docket No. 08-136
 Final DTV Table of Allotments,) RM-11468
 Television Broadcast Stations)
 (Wittenberg, Wisconsin))

To: Office of the Secretary
 Attn: Chief
 Policy and Rules Division
 Media Bureau

FILED/ACCEPTED
 AUG 25 2008
 Federal Communications Commission
 Office of the Secretary

COMMENTS OF DAVIS TELEVISION WAUSAU, LLC

Davis Television Wausau, LLC ("Davis"), the licensee of Television Station WFXS(TV), Wittenberg, Wisconsin, by its attorneys, hereby submits these Comments in support of the above-captioned Notice of Proposed Rule Making ("Notice") to amend Section 73.622(i) of the Commission's Rules, the Final DTV Table of Allotments, to substitute DTV Channel 31 as the post-transition DTV allocation for Station WFXS(TV) in lieu of DTV Channel 50, as originally allotted.

On June 12, 2008, Davis filed its Petition for Rule Making ("Petition") to substitute DTV Channel 31 for DTV Channel 50 at Wittenberg, Wisconsin, as the post-transition DTV allocation for Station WFXS(TV). WFXS(TV), a Fox Television Network affiliate that currently operates on out-of-core NTSC Channel 55, was not awarded a paired digital channel for pre-transition operations. Davis' Petition demonstrated that grant of the proposed DTV channel substitution would advance the public interest by enabling WFXS-DT to substantially improve its service to the public and thereby its ability to compete in its assigned television market. Davis respectfully requests that its Petition be incorporated by reference herein.

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In the Petition, the Media Bureau indicated that Canadian concurrence must be obtained for the proposed DTV Channel 31 allotment to Wittenberg, Wisconsin. In this regard, Davis notes that Canadian concurrence to the proposed allotment was obtained on August 1, 2008.

As Davis explained in its Petition, severe winter weather conditions in the Wittenberg, Wisconsin area may interfere with or even preclude construction of the WFXS-DT post-transition facilities on DTV Channel 31 between late November 2008 and February 17, 2009. For this reason, it is imperative that the Media Bureau approve Davis' proposed channel substitution for WFXS-DT as soon as possible so that Davis can modify its existing post-transition DTV construction permit to specify operation on DTV Channel 31 and move to complete construction of those facilities as expeditiously as possible, but not later than the DTV transition date.

If DTV Channel 31 is allotted to Wittenberg, Wisconsin as requested, Davis here restates its intention to file an application to modify WFXS-DT's existing DTV construction permit to specify operation on DTV Channel 31 rather than DTV Channel 50 and, if authorized, to build the new facilities promptly.

Respectfully submitted,

DAVIS TELEVISION WAUSAU, LLC

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August 25, 2008

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