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December 4, 2008

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

FILED/ACCEPTED

DEC - 4 2008

Federal Communications Commission  
Office of the Secretary

Re: In the Matter of Amendment of Section 73.622(i), Final  
DTV Table of Allotments, Television Broadcast Stations  
(Clovis, New Mexico)  
File No. RM-11464, MB Docket No. 08-132

Dear Ms. Dortch:

On September 26, 2008, Barrington Amarillo License LLC ("Barrington"), licensee of television station KVIH-TV, Clovis, New Mexico (Channel 12), and permittee of television station KVIH-DT, Clovis, New Mexico (Channel 20) (collectively, "KVIH" or the "Station"), filed a petition for reconsideration of the Media Bureau's decision to deny its request that the Commission amend the DTV Table of Allotments to replace the Channel 20 allotment for Clovis, New Mexico with an allotment for Channel 12.<sup>1</sup> The purpose of this letter is to clarify the population calculations reflected in the petition for reconsideration.

Barrington attached to its petition for reconsideration an engineering analysis indicating that its proposal for a Channel 12 facility was predicted to provide interference-free service to 86,075 persons. As described in the attached supplemental engineering statement, this population is 98.9% of the 87,000-person population estimate listed in Appendix B to the Commission's Report and Order adopting the DTV Table of Allotments.

The engineering statement indicated that the proposed facility would "represent an increase in the population of the KVIH-DT service area relative to the [population predicted to receive a signal from the Station's theoretical] Appendix B" facility.<sup>2</sup> That conclusion was based

<sup>1</sup> Barrington Amarillo License LLC, Petition for Recon., *Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (Clovis, New Mexico)*, RM-11464, MB Docket No. 08-132 (Sep. 26, 2008).

<sup>2</sup> *Id.* at Exh. 1, 2.

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December 4, 2008

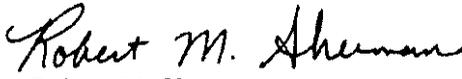
Page 2

on the consulting engineer's recalculation of the population predicted to be served by the Appendix B facility as 85,421 persons."<sup>3</sup> Accordingly, the Station concluded that its proposed facility would serve 100.8% of the Station's Appendix B population, based on a calculation of both the proposed and Appendix B populations using the same methodology.

Attached to this letter is a supplemental engineering statement that clarifies both of these calculations. As described in the supplemental engineering statement and the petition for reconsideration, the proposed facility would substantially match the service area population of the Appendix B facility and would serve significantly more viewers than the Station's analog facility.

Barrington respectfully requests that this supplemental statement be incorporated within the record for this proceeding and that, given the short amount of time before the February 17, 2009 transition date, the Commission grant the petition for reconsideration as expeditiously as possible.

Respectfully submitted,

  
Robert M. Sherman

Enclosure

cc: Ms. Joyce Bernstein  
Ms. Nazifa Sawez

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<sup>3</sup> *Id.* at Exh. 1, 2 n.3.

**Supplemental Engineering Statement**

The following engineering statement has been prepared for **Barrington Amarillo License LLC** ("Barrington"), licensee of television station KVIH-TV at Clovis, New Mexico, and contains supplementary information in support of Barrington's petition for reconsideration relative to a Petition for Rulemaking.<sup>1</sup>

Under the referenced petition, Barrington sought reconsideration of its Petition for Rulemaking to substitute channel 12 for channel 20 at Clovis, New Mexico for its post-transition operations of KVIH. The purpose of this supplement is to clarify the level at which the proposed allocation replicates the service area population listed in Appendix B for KVIH.

In the engineering statement in support of the petition for reconsideration, it was noted that that 86,075 persons were predicted to receive interference-free service from the proposed KVIH facility. This population is 98.9 percent of the number of persons specified in the entry for the station in Appendix B to the Commission's Report and Order adopting the DTV Table of Allotments.

The engineering statement also indicated that the proposed facility would serve more than the number of viewers predicted to receive service from the station's Appendix B facility. This conclusion was based on a recalculation of the area population for the technical parameters described in Appendix B for KVIH.<sup>2</sup> The predicted population for the proposed facility was

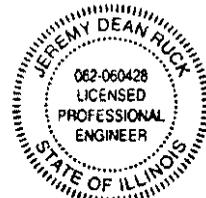
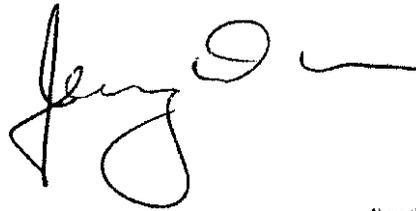
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<sup>1</sup> The facility ID for KVIH-TV is 40450.

<sup>2</sup> As indicated in Exhibit E-2, the resident population of the 41 dBu F(50,90) service contour based on the Appendix B technical parameters is 86,014 persons by the 2000 Census. The 41 dBu F(50,90) and 36 dBu F(50,90) contours were utilized as the perimeter of the DTV service area calculations based on footnote 20 in the *Memorandum Opinion*

compared to that recalculated population figure. Based on this comparison, it was determined that the proposed facility would serve 100.8 percent of the recalculated Appendix B service area. Exhibits E-1 through E-3 of the engineering statement provided the basis for this conclusion.

The preceding statement and attached exhibits has been prepared by me, or under my direction, and are true and accurate to the best of my belief and knowledge.



Above signature is digitized copy of actual signature  
License Expires November 30, 2009

**Jeremy D. Ruck, PE**  
**December 4, 2008**

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*and Order on Reconsideration of the Seventh Report and Order and Eighth Report and Order which refers to Sections 73.622(e) and 73.623(c) of the Commission's Rules as the basis for the Appendix B calculations. When the effects of terrain are added, the population for which service is predicted to be available drops to 85,441 persons. The addition of interference reduces the population an additional 20 persons to 85,421 persons. This value is therefore the predicted population that would receive an interference-free signal based on the technical parameters listed in Appendix B.*