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

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Amendment of Section 73.622(i),) MB Docket No. 08-244
Final DTV Table of Allotments,) RM-11507
Television Broadcast Stations.)
(Scranton, Pennsylvania))

**COMMENTS OF THE PROPOPONENT,
MPS MEDIA OF SCRANTON LICENSE, LLC**

MPS Media of Scranton License, LLC ("Proponent"), by and through its attorneys, hereby submits comments in the above-referenced rulemaking in compliance with procedures set forth in the Notice of Proposed Rule Making, DA 08-2701, Rel. Dec. 12, 2008, 23 FCC Rcd 10587 (2008), 73 Fed. Reg. 79,436 (Dec. 29, 2008).

The Proponent hereby restates its present intention to operate WSWB-DT on Channel 31. In support thereof, the Proponent also resubmits and incorporates by reference its Petition for Rulemaking in this matter, as submitted originally on June 19, 2008 (the "Petition").¹ The Petition provides documentation demonstrating how the proposed amendment, to Post-Digital Transition Television Table of Allotments for Station WSWB-DT (Facility ID No. 73374), Scranton, Pennsylvania, would serve the public interest.

The Petition, itself, is submitted herewith as Attachment 1.

¹ At Note 1 of the NPRM the Commission noted its receipt on November 26, 2008 of an Amended and Restated Interference Acceptance Agreement entered into between the Proponent and Paxson Philadelphia License, Inc., licensee of station WPPX-DT, Wilmington, Delaware (Facility ID No. 51984).

For all the reasons stated therein, the Commission should AMEND 47 C.F.R. Sec. 73.3623, as described in the Petition; such an amendment would enable the Proponent to better serve the public interest by improving WSWB-DT's technical operations.

Respectfully submitted,

MPS MEDIA OF SCRANTON LICENSE, LLC

By:



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December 31, 2008

ATTACHMENT 1 – PETITION FOR RULEMAKING

Petition is submitted pursuant to the Public Notice, dated May 30, 2008, lifting the freeze on the submission of DTV "maximization" applications and petitions for digital channel substitutions.¹

Currently, the Station has been allotted Channel 38 in the post-transition DTV Table of Allotments.² As set forth in the Technical Exhibit prepared by W. Jeffrey Reynolds of du Treil, Lundin & Rackley, Inc. (attached hereto as Exhibit A), Petitioner has determined that the requested change in the post-transition DTV allotment to Channel 31 for the Station complies with the Commission's technical rules. Furthermore, the change in channel will comport with the Commission's requirement that any change to a post-transition DTV facility does not result in the loss of more than 5% of the currently-authorized post-transition service area and population.³ Petitioner is merely seeking to change its post-transition digital operation to its currently licensed pre-transition digital operation (File No. BLCDDT-20060721ABH). No further construction or authorization is necessary, just a change in the DTV Table of Allotments to reflect its current facilities. Finally, the proposed facility complies with the Commission's processing guidelines established in the DTV Order regarding the permissible change in a post-transition DTV facility.

Therefore, Petitioner respectfully requests that the post-transition DTV Table of Allotments be amended for the Station to specify the following technical parameters of the Technical Exhibit attached at Exhibit A.

¹ *Commission Lifts the Freeze on the Filing of Maximization Applications and Petitions for Digital Channel Substitutions, Effective Immediately*, Public Notice, DA 08-1213 (May 30, 2008).

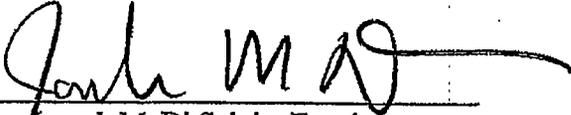
² *Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service*, Seventh Report and Order, Appendix B, 22 FCC Rcd 15,581 (2007) ("DTV Order"). The post-transition parameters for DTV facilities specified in Appendix B will be codified at 47 C.F.R. § 73.622(i). *Id.*, nt. 2.

³ *DTV Order*, ¶ 140. In the instant case, the proposed facilities will replicate 112% of the current Appendix B population.

MPS Media of Scranton License, LLC submits that the requested changes comply with all applicable legal and technical requirements and would serve the public interest.

Respectfully submitted,

MPS MEDIA OF SCRANTON LICENSE, LLC

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June 19, 2008

TECHNICAL EXHIBIT
 PETITION FOR RULE MAKING TO
 MODIFY THE DTV TABLE OF ALLOTMENTS
 MPS MEDIA OF SCRANTON LICENSE, LLC
 STATION WSWB-DT
 SCRANTON, PENNSYLVANIA

This Technical Exhibit was prepared on behalf of MPS Media of Scranton License, LLC ("MPS"), licensee of station WSWB-TV (analog channel 38, pre-transition digital channel 31, and current post-transition digital channel 38), Scranton, Pennsylvania in support of a Petition for Rule Making to modify the DTV allotment of WSWB-DT to substitute channel 31 for the current channel 38 DTV allotment.

The Commission adopted channel 38 for WSWB-TV's post-transition digital operation. Specifically, WSWB-DT was assigned channel 38 for its post-transition Appendix B operation with a directional antenna maximum effective radiated power (ERP) of 57.57 kilowatts (kW) and an antenna height above average terrain (HAAT) of 385 meters. However, in order to continue to utilize its currently licensed DTV operation on channel 31 (BLCDT-20060721ABH) for its post-transition operation, MPS proposes to substitute channel 31 for the current channel 38 DTV allotment and operate from its licensed DTV channel 31 site location using its licensed nondirectional antenna with an ERP of 100 kW, an HAAT of 352 meters and an antenna radiation center height above mean sea level (RCAMSL) of 707 meters. The following details the proposed modification of the WSWB-TV Appendix B facilities.

| Fac. ID | State & City | | NTSC | | DTV | | | | | | | |
|---------|--------------|----------|------|----|----------|-----------------------|------------|--------------|---------------|--------------|-----------------|-----------------|
| | | | Ch | Ch | ERP (kW) | HAAT ¹ (m) | Antenna ID | Lat (DDMMSS) | Long (DDMMSS) | Area (sq km) | Pop. (thousand) | Percent IX Rcvd |
| 73374 | PA | Scranton | 38 | 31 | 100 | 352 | | 412609 | 754346 | 17,554 | 1,003 | 5.2 |

The noise-limited 41 dBu and 48 dBu contours for the proposed WSWB-TV DTV channel 31 operation are depicted on Figure 1. The proposed WSWB-DT Appendix B facilities will comply with the 0.5 percent interference standard adopted by the FCC for post-transition DTV operations² and will also comply with the FCC's city coverage requirements.

¹ Antenna radiation center height above mean sea level 707 meters.

² See paragraph 155 of the Report and Order in the Third DTV Periodic Review (MB Docket No. 07-91). It is noted that the OET-69 interference analysis was based on a cell size of 2 km and a terrain increment of 0.5 km.

Below is a tabulation of the predicted service population and area based on WSWB-DT's current Appendix B facilities and the herein proposed WSWB-DT Appendix B facilities:

| Facility | Service Population | Service Area |
|---|--------------------|------------------------|
| Current Appendix B (Ch. 38 57.57 kW/385 m, ND) | 899,000 | 15,550 km ² |
| Proposed Appendix B (Ch. 31 100 kW/352 m, DA) | 1,003,329 | 17,554 km ² |

As indicated above, the herein proposed Appendix B facilities will replicate 112% of the current Appendix B population. Based on the foregoing, MPS respectfully requests that the Commission modify Appendix B to specify operation on channel 31 from its licensed DTV site and employing its existing facilities.

The attached technical statement has been prepared by or under the direct supervision of W. Jeffrey Reynolds with the firm of du Treil, Lundin and Rackley, Inc., a telecommunications consulting firm located in Sarasota, Florida, who states that his qualifications are a matter of record with the Federal Communications Commission, having been presented on previous occasions. All data and statements contained herein are true and correct to the best of his knowledge and belief.

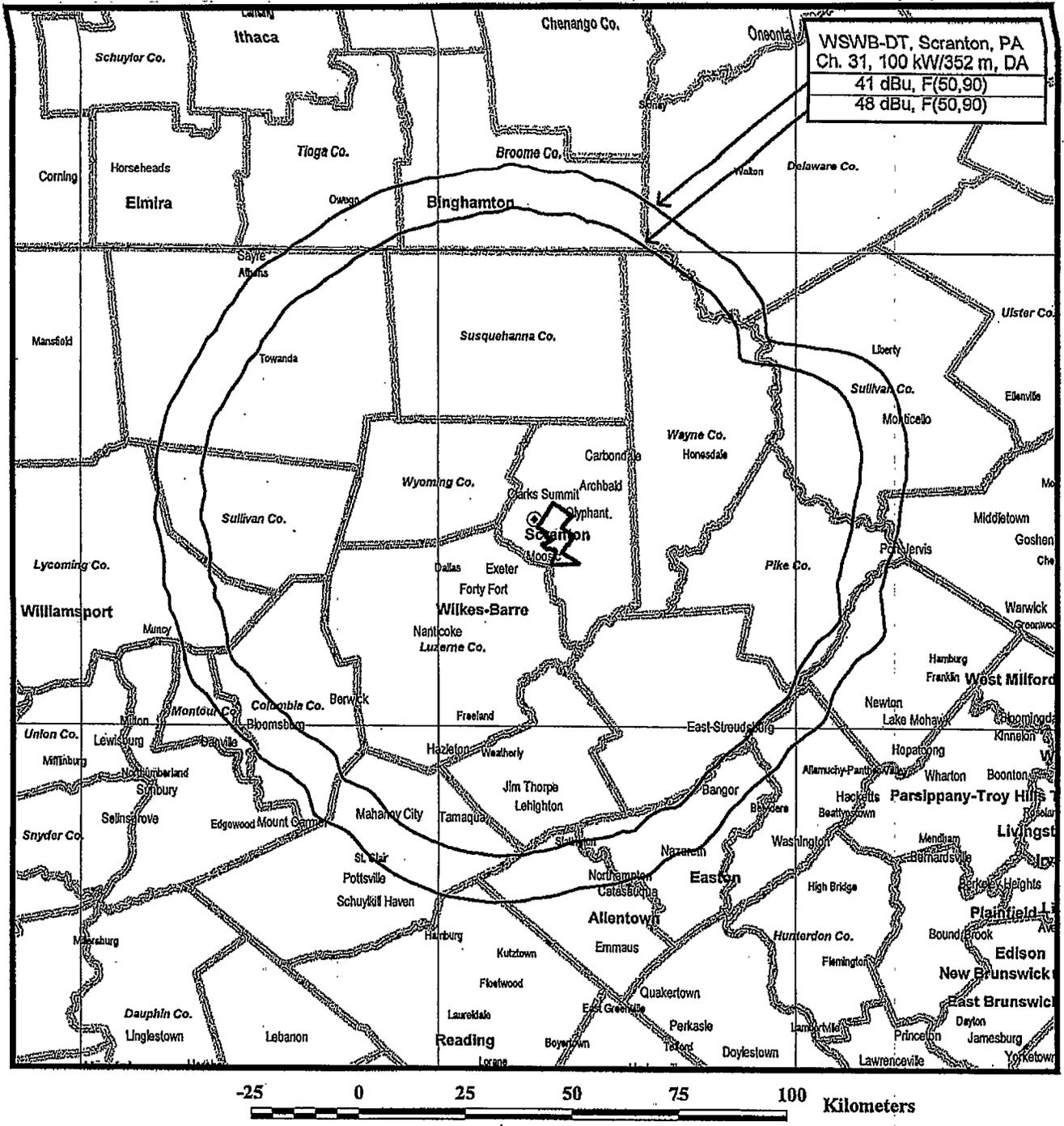


W. Jeffrey Reynolds

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201 Fletcher Ave.
Sarasota, Florida 34237

June 18, 2008

Figure 1



FCC PREDICTED COVERAGE CONTOURS

STATION WSWB-DT
SCRANTON, PENNSYLVANIA
DTV CHANNEL 31

du Treil, Lundin & Rackley, Inc. Sarasota, Florida