



Federal Communications Commission
Washington, D.C. 20554

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Federal Communications Commission
Office of the Secretary

DA 08-2559

Released: December 15, 2008

Tom W. Davidson
Counsel for WTVG, Inc.
1333 New Hampshire Ave., N.W.
Washington, D.C. 20036

Re: MB Docket No. 05-317

Dear Mr. Davidson:

By letter dated October 10, 2008, WTVG, Inc., licensee of WTVG-TV, Toledo, Ohio requested an extension of its waiver of Section 339(a)(2)(D) of the Communications Act of 1934, as amended, to prohibit satellite subscribers from receiving or conducting a digital signal strength test of WTVG-DT's digital signal.¹ The Commission granted the original digital signal testing waiver based on the fact that the station's digital signal coverage was limited due to the necessity to use a side mounted antenna.² The Commission has granted the licensee two six-month extensions.³ In its most recent extension request, the licensee states that it continues to experience reduction of coverage due to its use of a side mounted antenna and that it is prevented from installing a top mounted digital antenna because its analog antenna is currently installed in that position and will continue to operate there until after the digital transition on February 17, 2009.

Accordingly, IT IS ORDERED that the request of WTVG, Inc. IS GRANTED and the first permissible date for digital testing for WTVG-DT IS EXTENDED until February 18, 2009. No further extensions of this waiver should be necessary.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau

¹ See 47 U.S.C. § 339 (a)(2)(D)(viii), as amended by Section 207 of the Satellite Home Viewer Extension and Reauthorization Act of 2004 ("SHVERA"), 47 U.S.C. § 339.

² See *Waiver of Digital Testing Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004*, 22 FCC Rcd 12918, 12926 (MB 2007).

³ See *Waiver of Digital Testing Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004*, 23 FCC 402 (MB 2008); Letter to Tom W. Davidson, DA 08-1282 (June 6, 2008).