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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FILED/ACCEPTED

JUL 22 2009

Federal Communications Commission
Office of the Secretary

In re:

Pappas Telecasting of Opelika, L.P.

**Petition For Rulemaking to Amend DTV
Table Of Allotments for Station WLGA-DT
(Opelika, Alabama)**

MB Docket No. _____

RM-_____

To: The Secretary
Attn: Chief, Media Bureau

PETITION FOR RULEMAKING

Pappas Telecasting of Opelika, 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(2009), hereby submits this Petition for Rulemaking (the "Petition") to amend the DTV Table of Allotments (47 C.F.R. § 73.622(i)) to change the post-transition, DTV channel assignment of Station WLGA(TV), Opelika, Alabama (the "Station") from Channel 47 to Channel 30, and to make related technical changes to the Station's technical parameters.¹

As provided in the Engineering Statement of Smith and Fisher, attached hereto as Exhibit A, the proposed change of the Station's post-transition DTV channel will permit the Petitioner to utilize its former analog transmitter site, and to increase power and substantially increase the service area of the Station. In particular, the service area of the Station would increase 15,857 square kilometers, and the population within the proposed Grade B service area would increase by 423,430 persons. Finally, the proposed facility complies with the Commission's technical rules, and the processing guidelines established in the DTV Order regarding the permissible change in a post-transition DTV facility.²

¹ The Commission lifted the freeze on submitting petitions for changes to channel changes in 2008. *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 See *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").

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Therefore, Pappas Telecasting of Opelika, L.P., respectfully requests that the post-transition DTV Table of Allotments be amended for Station WLGA to specify Channel 30 and the technical parameters provided in the Engineering Statement. The requested changes comply with all applicable legal and technical requirements and would serve the public interest.

Respectfully submitted,

**PAPPAS TELECASTING OF
OPELIKA, L.P**

By: 

Kathleen Victory, Esquire
Lee G. Petro, Esquire
FLETCHER, HEALD & HILDRETH, PLC
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209
703-812-0400 - Telephone

Its Attorneys

July 22, 2009

EXHIBIT A

SMITH AND FISHER

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of PAPPAS TELECASTING OF OPELIKA, L. P., A DELAWARE LP, licensee of WLGA-DT on Channel 47 in Opelika, Alabama, in support of its Petition for Rulemaking to substitute Channel 30 for Channel 47 in the Commission's DTV Table of Allotments for post-transition operation.

Attached is the engineering portion of an 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 WLGA-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

Opelika, AL 47

Proposed Allotment

Opelika, AL 30

Attached is a map upon which the proposed Channel 30 service contour is plotted in relation to that presently licensed to WLGA-DT on Channel 47. As shown, no viewer loss area would be generated by the substitution of Channel 30 for Channel 47, with the referenced facility.

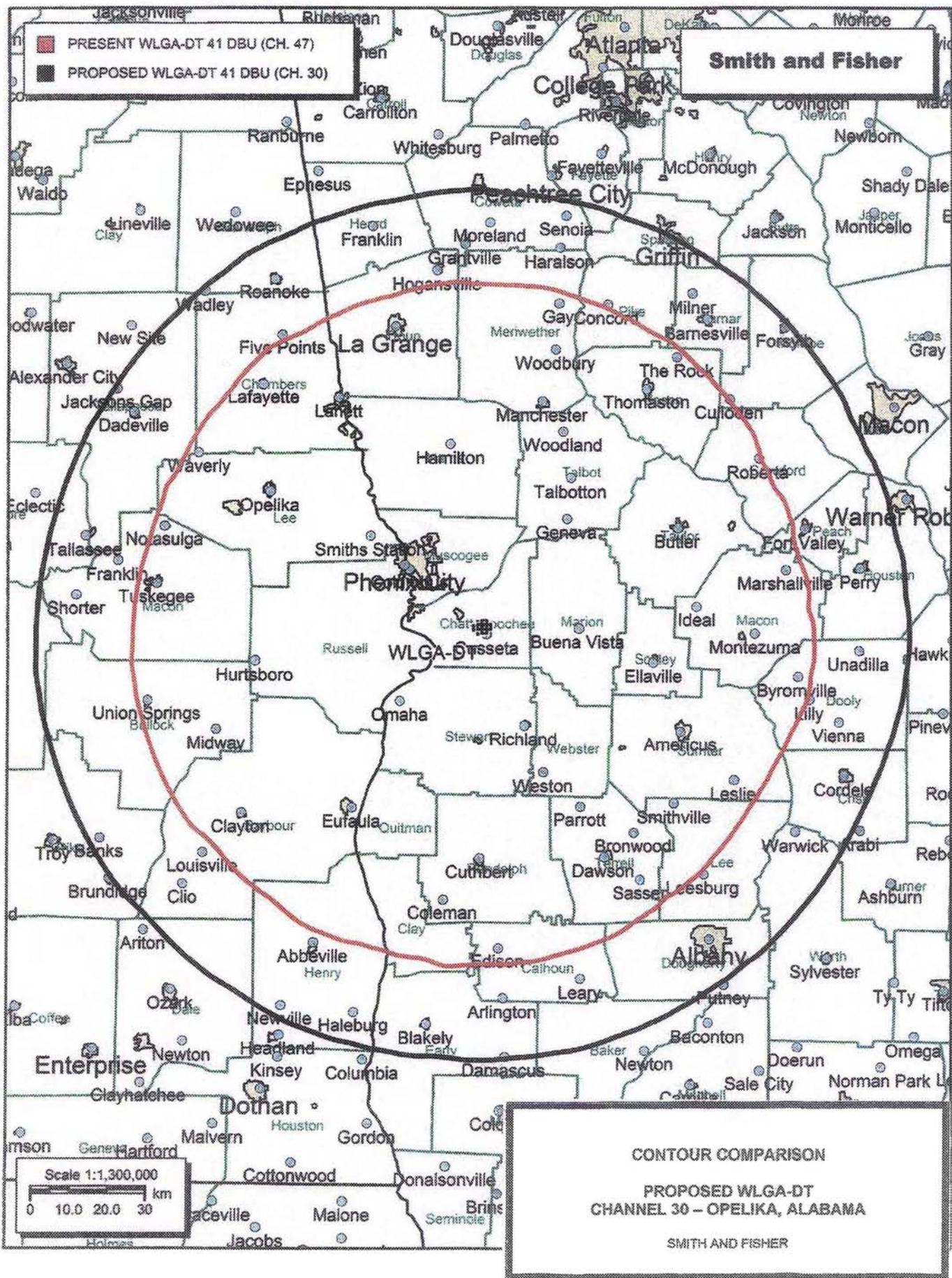
SMITH AND FISHER

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', with a stylized flourish at the end.

KEVIN T. FISHER

July 22, 2009



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 30 Analog TV, if any 66

2. Zone: I II III

3. Antenna Location Coordinates: (NAD 27)
32° 19' 16" N S Latitude
84° 47' 28" E W Longitude

4. Antenna Structure Registration Number: 1243417
 Not applicable FAA Notification Filed with FAA

5. Antenna Location Site Elevation Above Mean Sea Level: 147.2 meters

6. Overall Tower Height Above Ground Level: 538.2 meters

7. Height of Radiation Center Above Ground Level: 505.4 meters

8. Height of Radiation Center Above Average Terrain: 532 meters

9. Maximum Effective Radiated Power (average power): 800 kW

10. Antenna Specifications:

Manufacturer	Model
Dielectric	TFU-16GTH-04

a. Not Applicable

b. Electrical Beam Tilt: 1.0 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. B

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		60		120		180		240		300	
10		70		130		190		250		310	
20		80		140		200		260		320	
30		90		150		210		270		330	
40		100		160		220		280		340	
50		110		170		230		290		350	
Additional Azimuths											

If a directional antenna is proposed, the requirements of 47 C.F.R. Section 73.625(e) must be satisfied. Exhibit required.

Exhibit No.
--

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 T. FISHER	Relationship to Applicant (e.g., Consulting Engineer) Broadcast Consultant	
Signature	Date July 22, 2009	
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).

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of PAPPAS TELECASTING OF OPELIKA, L. P., A DELAWARE LP, licensee of WLGA-DT, Channel 47 in Opelika, Alabama, in support of its Petition for Rulemaking to operate with a maximized post-transition DTV facility on Channel 30 rather than on its present allotment on Channel 47.

It is proposed to mount a standard Dielectric omnidirectional antenna at the 505-meter level of an existing 538-meter tower on which the old analog WLGA-DT antenna was mounted. Exhibit B provides an elevation pattern for the proposed antenna. 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 48 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 1.0 kilometers and an increment spacing of 0.1 kilometers. A power density calculation is provided in Exhibit E.

It is important to note that, while the proposed effective radiated power of 800 kw exceeds that allowable in Section 73.622(f)(8)(l) of the Commission's Rules, the coverage of the facility proposed herein does not exceed that of the largest station in the market (WTVM-DT, Channel 11 in Columbus, Georgia), as allowed in Section 73.622(f)(5) of the Rules. The area within the WTVM-DT noise-limited contour (as authorized in BPCDT-20090204ACL) is 46,626 square kilometers, whereas the area within that proposed herein is only 41,912 square kilometers.

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 proposed

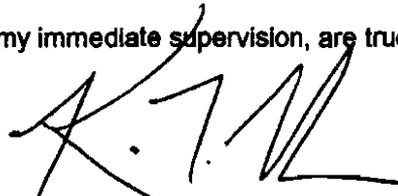
SMITH AND FISHER

EXHIBIT A

WLGA-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. The FCC issued Antenna Structure Registration Number 1243417 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.



KEVIN T. FISHER

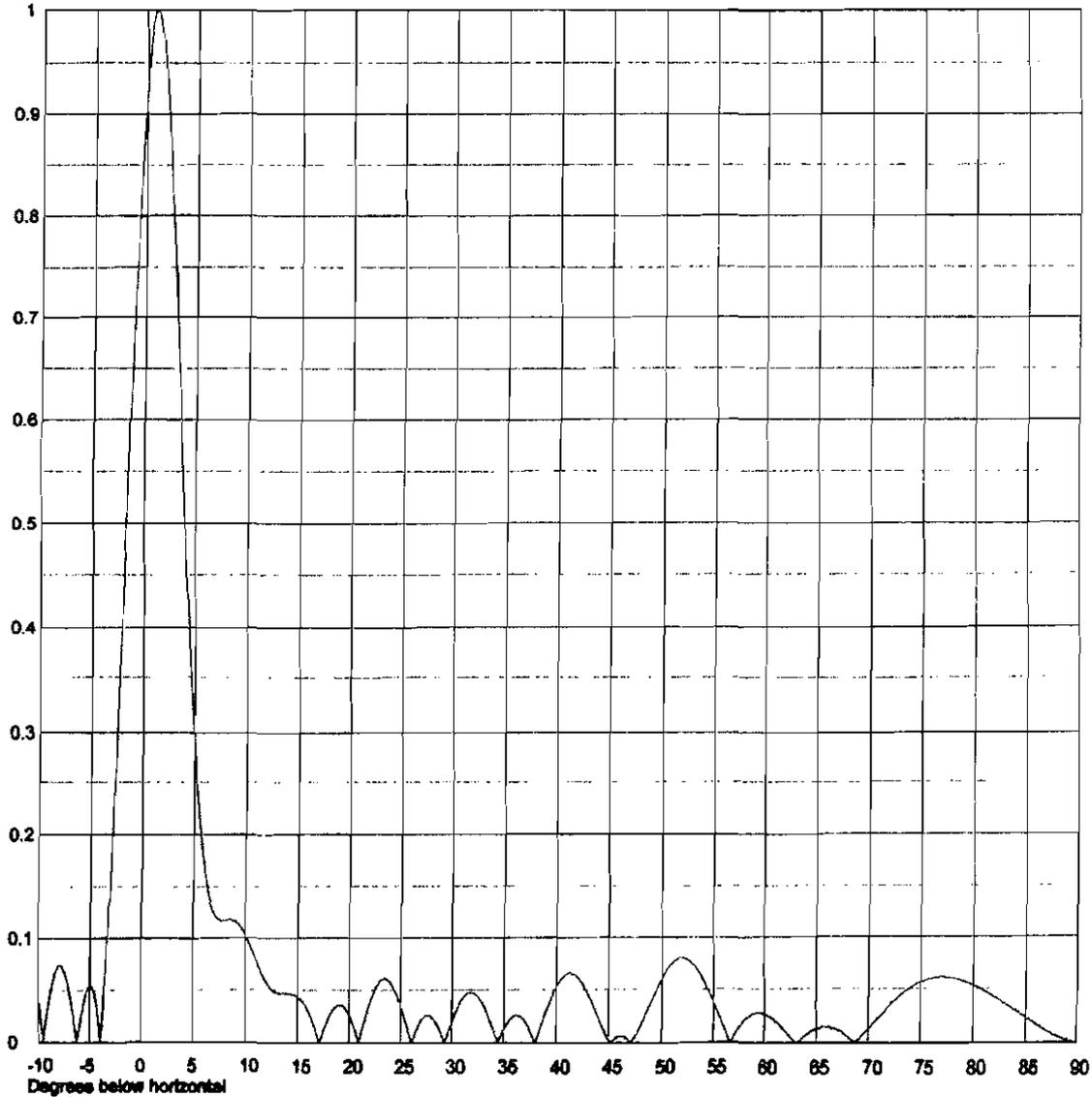
July 22, 2009

Date **21 Jul 2009**
Call Letters
Location
Customer
Antenna Type **TFU-16GTH 04**

Channel **30**

ELEVATION PATTERN

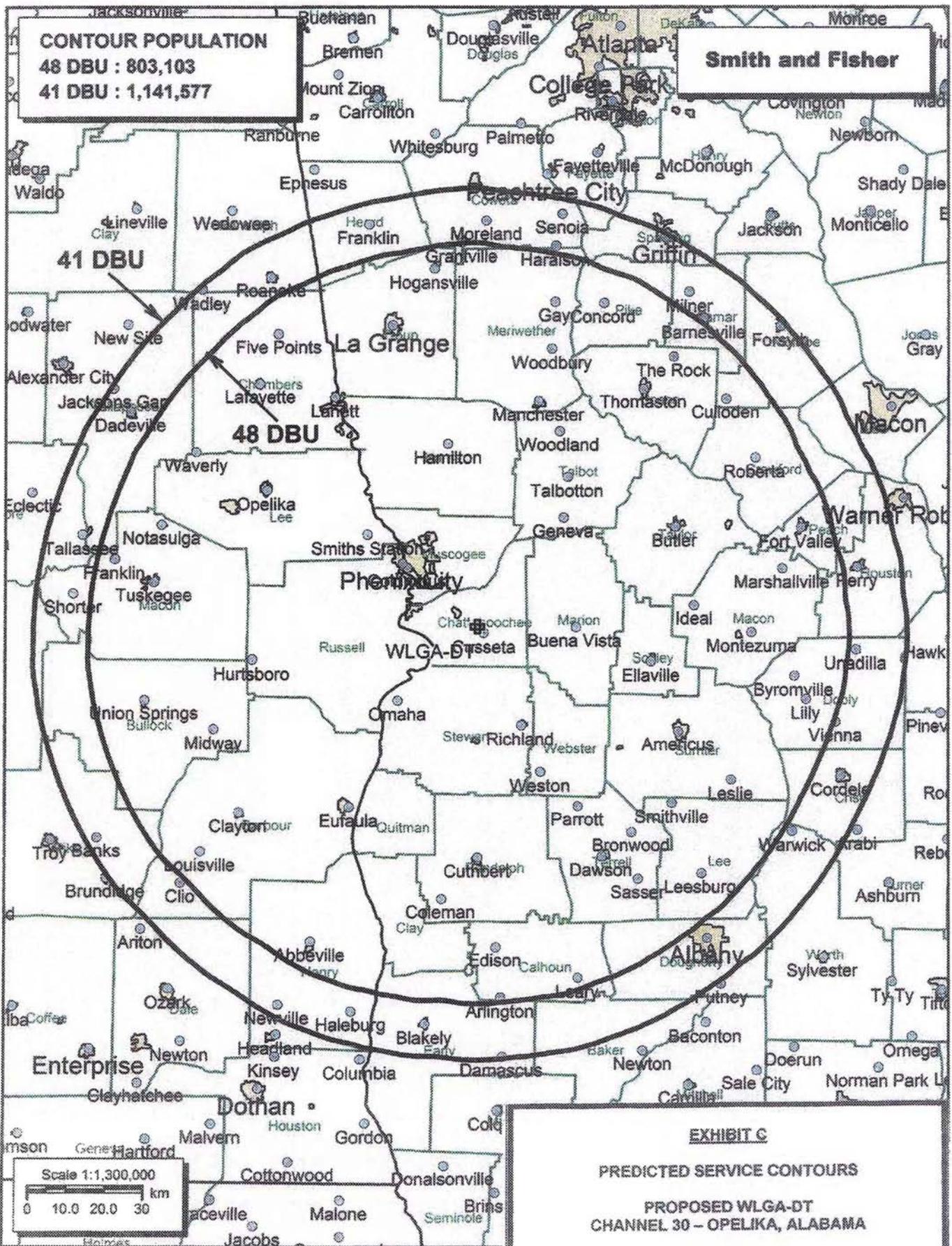
RMS Gain at Main Lobe	14.0 (11.48 dB)	Beam Tilt	1.00 Degrees
RMS Gain at Horizontal	11.8 (10.72 dB)	Frequency	569.00 MHz
Calculated / Measured	Calculated	Drawing #	16G140100-90



Remarks:

EXHIBIT B**ANTENNA ELEVATION PATTERN****PROPOSED WLGA-DT
CHANNEL 30 -- OPELIKA, ALABAMA**

SMITH AND FISHER



INTERFERENCE STUDY
PROPOSED WLGA-DT
CHANNEL 30 – OPELIKA, ALABAMA

The instant application specifies an ERP of 800 kw (omnidirectional) at 532 meters above average terrain, which we have determined to be allowable under the FCC's interference standards with respect to various post-transition digital television facilities as they have existed since June 12, 2009, the date by which all stations must have begun operation with the parameters 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 "SunDTV" computer program, which mimics the FCC's Longley-Rice interference program. In conducting our study, we employed a cell size of 1.0 kilometers and an increment spacing of 0.1 kilometer along each radial. In addition, we utilized the 2000 U.S. Census. A summary of the results of that study is provided in Exhibit D-2.

As shown, the proposed WLGA-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 WLGA-DT facility on Channel 30 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.

Summary Study

Percent allowed new interference: 0.500
Percent allowed new interference to Class A: 0.500
Census data selected 2000
Post Transition Data Base Selected ./data_files/pt_tvdb.sff

TV INTERFERENCE and SPACING ANALYSIS PROGRAM

Date: 07-21-2009 Time: 16:27:52

Record Selected for Analysis

WLGA-DT3 USERRECORD-01 OPELIKA AL US
Channel 30 ERP 800. kW HAAT 532. m RCAMSL 00653 m
Latitude 032-19-16 Longitude 0084-47-28
Status APP Zone 2 Border
Dir Antenna Make usr Model USRPAT01 Beam tilt N Ref Azimuth 0.
Last update Cutoff date Docket
Comments
Applicant

Cell Size for Service Analysis 1.0 km/side

Distance Increments for Longley-Rice Analysis 0.10 km

Facility does not meet maximum height/power limits
Channel 30 ERP = 800.00 HAAT = 532.

Azimuth (Deg)	ERP (kW)	HAAT (m)	41.0 dBu F(50,90) (km)
0.0	800.000	549.3	115.6
45.0	800.000	518.2	113.6
90.0	800.000	504.3	112.7
135.0	800.000	503.9	112.7
180.0	800.000	526.6	114.2
225.0	800.000	551.6	115.8
270.0	800.000	560.1	116.2
315.0	800.000	544.9	115.4

Evaluation toward Class A Stations

Contour overlap to Class A station
WYBU-CA 16 COLUMBUS GA BLTTL 19980527JD
Offset Proposed Offset Class A Z Required D/U ratio: -33.0

Class A Evaluation Complete

No spacing violations found to other full service stations

LANDMOBILE SPACING VIOLATIONS FOUND

NONE

Proposed facility OK to FCC Monitoring Stations

Proposed facility OK toward West Virginia quiet zone

Proposed facility OK toward Table Mountain

Proposed facility is beyond the Canadian coordination distance

Proposed facility is beyond the Mexican coordination distance

Proposed station is OK toward AM broadcast stations

Start of Interference Analysis

	Proposed Station		
Channel	Call	City/State	ARN
30	WLGA-DT3	OPELIKA AL	USERRECORD01

Stations Potentially Affected by Proposed Station

Chan No.	Call	City/State	Dist(km)	Status	Application	Ref.
16	WYBU-CA	COLUMBUS GA	29.7	LIC	BLTTL	-
19980527JD						
29	WBIH	SELMA AL	194.0	CP	BPCDT	-
20080617ADT						
29	WBIH	SELMA AL	194.0	PLN	DTVPLN	-
DTVP1059						
30	WIAT	BIRMINGHAM AL	228.3	LIC	BLCDDT	-
20021219AAV						
30	WIAT	BIRMINGHAM AL	228.3	PLN	DTVPLN	-
DTVP1093						
30	WAGT	AUGUSTA GA	301.3	LIC	BLCDDT	-
20030530AON						
30	WAGT	AUGUSTA GA	301.3	PLN	DTVPLN	-
DTVP1101						
30	WVLT-TV	KNOXVILLE TN	415.6	LIC	BLCDDT	-
20040420AAF						
30	WVLT-TV	KNOXVILLE TN	415.6	PLN	DTVPLN	-
DTVP1116						
30	WVLT-TV	KNOXVILLE TN	415.6	CP	BPCDT	-
20080618AAM						
31	WDMA-CA	MACON GA	119.7	LIC	BLTTA	-
20060321ABK						
33	WCAG-LP	LA GRANGE GA	84.1	LIC	BLTTL	-
19891128JR						

Study of this proposal found the following interference problem(s):

NONE.

EXHIBIT E

POWER DENSITY CALCULATION
PROPOSED WLGA-DT
CHANNEL 30 – OPELIKA, ALABAMA

Since the FCC considers the possible biological effects of RF transmissions in its environmental determinations, we have studied the matter with respect to this Opelika facility. Employing the methods set forth in *OET Bulletin No. 65* and considering a main-lobe effective radiated power of 800 kw, an antenna radiation center 505 meters above ground, and the elevation pattern of the Dielectric antenna, maximum power density two meters above ground of 0.00043 mw/cm^2 is calculated to occur 393 meters from the base of the tower. Since this is only 0.1 percent of the 0.38 mw/cm^2 reference for uncontrolled environments (areas with public access) surrounding a facility operating on Channel 30 (566-572 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.