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October 14, 2009

ELECTRONICALLY FILED VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: **MB Docket No. 05-317**
WNKY-DT, Bowling Green, Kentucky (Facility Id. No. 61217)
TELEVISION STATION SECTION 339(a)(2)(D)(vii) WAIVER EXTENSION
REQUEST

Dear Ms. Dortch:

MMK License LLC (FRN: 0008572927) ("Max Media"), the licensee of television broadcasting station WNKY-DT ("WNKY"), Bowling Green, Kentucky, by its attorney, hereby requests a further extension of waiver of the digital signal testing requirement,¹ in accordance with the statutory criteria set forth in 47 U.S.C. § 339(a)(2)(D)(viii), and pursuant to DA 08-1275, released June 6, 2008. WNKY is entitled to a further extension based on the fact that "no satellite carrier is providing the retransmission of the analog signals of local network stations" in WNKY's local market.²

On February 15, 2007, Max Media filed a request for waiver of the digital signal testing requirement for WNKY. The Commission granted the waiver on July 13, 2007 because no satellite carrier was providing local-into-local analog service in WNKY's local market, the Bowling Green, Kentucky DMA ("Bowling Green DMA"). The FCC subsequently extended the waiver, at Max Media's request, on January 16, 2008, June 6, 2008, December 15, 2008, and June 2, 2009. At the time, DirecTV, Dish Network and All American Direct (in conjunction with Dish Network) were the only satellite carriers providing DBS service in the Bowling Green DMA. None of these satellite carriers provided satellite retransmission of the analog signals of local network stations in the Bowling Green DMA. The situation remains unchanged; therefore,

¹ 47 U.S.C. § 339(a)(2)(D)(vii).

² 47 U.S.C. § 339(a)(2)(D)(viii)(VI).

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WNKY is entitled to a further six-month extension of the waiver of the digital signal testing requirement.

To support this extension request, Max Media has provided: (1) the Declaration of Jeff Cash, General Manager of WNKY (attached hereto under Tab A); (2) a printout of DirecTV's local channel markets (attached hereto under Tab B);³ and (3) a printout of Dish Network's local channel markets (attached hereto under Tab C).⁴

For the reasons set forth above, and pursuant to 47 U.S.C. § 339(a)(2)(D)(viii)(VI), Max Media respectfully requests a six-month extension of waiver of the digital signal testing requirement.

Respectfully submitted,

Benjamin D. Arden
Counsel to Max Media

cc: Nazifa Sawez

Attachments: Tab A (Declaration of Jeff Cash)
Tab B (DirecTV Local Channel List)
Tab C (Dish Network Local Channel List)

³ [Http://www.directv.com/DTVAPP/global/contentPage.jsp?assetId=1000013](http://www.directv.com/DTVAPP/global/contentPage.jsp?assetId=1000013) (last visited Oct. 9, 2009). DirecTV's local channel line up is no longer available in a printer-friendly format. The on-screen menu of local markets lists each local market served by DirecTV in alphabetical order. The print out provided under Tab B demonstrates that DirecTV does not provide local service in the Bowling Green market, by virtue of the market's omission from the alphabetical list of local markets served by DirecTV.

⁴ [Https://customersupport.dishnetwork.com/netqualweb/localmarkets.pdf](https://customersupport.dishnetwork.com/netqualweb/localmarkets.pdf) (last visited Oct. 9, 2009).

TAB A

DECLARATION OF JEFF CASH

Under penalty of perjury I, Jeff Cash, hereby declare that:

1. I am General Manager of WNKY-DT ("WNKY") (Facility Id No. 61217),
Bowling Green, Kentucky.
2. WNKY is located in the Bowling Green DMA, as defined by Nielsen Media
Research.
3. DirecTV, Dish Network and All American Direct (in conjunction with Dish
Network) are the only satellite carriers providing DBS service in the Bowling Green DMA.
4. None of these satellite carriers are currently providing local-into-local satellite
retransmission of the analog signals of local network stations in the Bowling Green DMA.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
October 13, 2009.



Jeff Cash

TAB B

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Set your DVR Online
Browse Top Movies
DIRECTV on DEMAND
Online Assistant

Get the Inside Scoop

Sign up to get the hottest
DIRECTV offers delivered to
your inbox. Never miss
another exclusive offer
again!

Enter Your Email Address

Sign Up Now

New Customers

Want the best HD experience?
Choose one of these great packages:

- CHOICE XTRA™ + HD
- CHOICE XTRA™ + HD DVR

Get DIRECTV with HD

Existing Customers

To get the HD channels available
in your programming package

- Log in or register
- Upgrade to an HD receiver

Log in or register

Watch your local news, sports and your favorite shows in amazing high definition. DIRECTV currently offers local channels in HD in over 91% of U.S.homes. Chances are, DIRECTV already offers HD locals in your area. Or they're coming very soon.

Current HD local markets

- Albany-Schenectady-Troy NY
- Albuquerque-Santa Fe NM
- Anchorage AK
- Atlanta GA
- Augusta GA
- Austin TX
- Baltimore MD
- Bangor ME
- Baton Rouge
- Beaumont-Port Arthur TX
- Birmingham AL
- Boise ID
- Boston MA
- Buffalo NY
- Burlington VT

Upcoming HD local market launches*

- Jackson MS Oct. 09
- Bluefield-Beckley WV Sep. 09
- Marquette MI Nov. 09
- Missoula MT Nov-09
- Minot-Bismarck-Dickinson ND Nov-09
- Sherman TX-Ada OK Nov-09

*Subject to change.

Check to see what local channels we offer in your package by selecting the "LOCALS" filter on the Explore Channels page.

Local Channels Lookup Tool

Please know that DIRECTV is still working on plans to launch additional HD markets. We will make future announcements as those plans are finalized, so check back soon.

Eligibility for local channels based on service address. In cities where local off-air high-definition programs are available, reception may vary based on geographic location. Programs not delivered in HD in all markets. To access DIRECTV HD programming, HD Access fee (\$10.00/mo.), a DIRECTV Slimline Dish, HD receiver, and HD television equipment are required.

TAB C

Abilene/Sweetwater, TX
Alaska (Anchorage)
Albany, GA
Albany, NY
Albuquerque/Santa Fe, NM
Amarillo, TX
Anchorage, AK
Atlanta, GA
Augusta, GA
Austin, TX
Bakersfield, CA
Baltimore, MD
Bangor, ME
Baton Rouge, LA
Beaumont-Port Arthur, Texas
Billings, MT
Birmingham, AL
Boise, ID
Boston, MA
Buffalo, NY
Burlington, VT and Plattsburgh, NY
Butte/Bozeman, MT
Casper/Riverton, WY
Cedar Rapids/Waterloo/Dubuque, IA
Champaign/Springfield, IL
Charleston, SC
Charleston, WV
Charlotte, NC
Charlottesville, VA
Chattanooga, TN
Cheyenne, WY
Chicago, IL
Chico/Redding, CA
Cincinnati, OH
Clarksburg/Weston, WV
Cleveland, OH
Colorado Springs/Pueblo, CO
Columbia, SC
Columbia/Jefferson City, MO
Columbus, OH
Columbus/Tupelo, MS
Corpus Christi, Texas
Dallas/Ft. Worth, TX
Davenport, IA and Rock Island, IL
Dayton, OH
Denver, CO
Des Moines/Ames, IA
Detroit, MI
Dothan, AL
Duluth, MN/Superior, WI
El Paso, TX
Erie, PA

Eugene, OR
Evansville, IN
Fairbanks, AK
Fargo/Valley City, ND
Flint/Saginaw, MI
Florence/Myrtle Beach, SC
Fresno/Visalia, CA
Ft. Myers/Naples, FL
Ft. Smith, AR
Ft. Wayne, IN
Gainesville, FL
Gillespie County, TX
Grand Junction/Montrose, CO
Grand Rapids/Kalamazoo/Battle Creek, MI
Grant County, OR
Great Falls, MT
Green Bay-Appleton, WI
Greensboro/Winston Salem, NC
Greenville/New Bern/Washington, NC
Greenville/Spartanburg, SC
Harlingen/Brownsville, TX
Harrisburg/Lancaster/Lebanon/York, PA
Hartford/New Haven, CT
Helena, MT
Honolulu, HI
Houston, TX
Huntsville/Decatur/Florence, AL
Idaho Falls/Pocatello, ID
Indianapolis, IN
Jackson, MS
Jacksonville, FL and Brunswick, GA
Johnstown/Altoona, PA
Joplin, MO and Pittsburg, KS
Juneau, AK
Kansas City, MO
Knoxville, TN
La Crosse/Eau Claire, WI
Lafayette, LA
Lansing, MI
Laredo, TX
Las Vegas, NV
Lexington, KY
Lincoln/Kearney, NE
Little Rock/Pine Bluff, AR
Los Angeles, CA
Louisville, KY
Lubbock, TX
Macon, GA
Madison, WI
Medford, OR
Memphis, TN
Meridian, MS

Miami/Ft. Lauderdale, FL
Milwaukee, WI
Minneapolis/St. Paul, MN
Minot/Bismarck/Dickinson, ND
Missoula, MT
Mobile, AL/Pensacola, FL
Monroe, LA/EI Dorado, AR
Montague County, TX
Monterey/Salinas, CA
Montgomery, AL
Nashville, TN
New Orleans, LA
New York, NY
Norfolk/Portsmouth/Newport News, VA
Odessa/Midland, TX
Oklahoma City, OK
Omaha, NE
Orlando/Daytona Beach/Melbourne, FL
Paducah, KY and Cape Girardeau, MO and Harrisburg/Mt. Vernon, IL
Palm Springs, CA
Panama City, FL
Peoria/Bloomington, IL
Perry/Reynolds Counties, MO
Philadelphia, PA
Phoenix, AZ
Pittsburgh, PA
Portland, OR
Portland/Auburn, ME
Providence, RI/New Bedford, MA
Puerto Rico
Quincy, IL/Hannibal, MO
Raleigh/Durham, NC
Rapid City, SD
Reno, NV
Richmond, VA
Roanoke/Lynchburg, VA
Rochester, MN/Mason City, IA
Rochester, NY
Rockford, IL
Sacramento/Stockton/Modesto, CA
Salt Lake City, UT
San Angelo, TX
San Antonio, TX
San Diego, CA
San Francisco/Oakland/San Jose, CA
Santa Barbara/Santa Maria/San Luis Obispo, CA
Savannah, GA
Seattle/Tacoma, WA
Sherman, TX and Ada, OK
Shreveport, LA
Sioux City, IA
Sioux Falls (Mitchell), SD

South Bend/Elkhart, IN
Spokane, WA
Springfield, MO
St. Louis, MO
Syracuse, NY
Tallahassee, FL and Thomasville, GA
Tampa/St. Petersburg/Sarasota, FL
Terre Haute, IN
Toledo, OH
Topeka, KS
Traverse City/Cadillac, MI
Tri Cities, TN-VA
Tucson (Nogales), AZ
Tulsa, OK
Twin Falls, ID
Tyler/Longview (Lufkin/Nacogdoches), TX
Waco/Temple/Bryan, TX
Washington, DC/Hagerstown
Washington, DC/Harrisburg, PA
Wausau, WI
West Palm Beach/Ft. Pierce, FL
Wichita Falls, TX and Lawton, OK
Wichita/Hutchinson, KS
Wilkes-Barre/Scranton, PA
Wilmington, NC
Yakima/Pasco/Richland/Kennewick, WA
Youngstown, OH
Yuma, AZ and El Centro, CA