



**FOX TELEVISION STATIONS, INC.**

A UNIT OF FOX ENTERTAINMENT GROUP

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**Joseph M. Di Scipio**  
Vice President  
Legal and FCC Compliance

January 25, 2010

FILED/ACCEPTED

JAN 25 2010

Federal Communications Commission  
Office of the Secretary

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Dear Ms. Dortch:

Fox Television Stations, Inc., the licensee of WTTG, Washington, DC, files the enclosed original and four copies of its comments in MB Docket No. 09-230/RM-11586.

Sincerely,

  
Joseph M. Di Scipio

cc: WTTG Public File  
Adrienne Denysyk (by email)

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ORIGINAL

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

In the Matter of )  
 )  
Amendment of Section 73.622(i), ) MB Docket No. 09-230  
Post-Transition Table of DTV Allotments, ) RM-11586  
Television Broadcast Stations. )  
(Seaford, Delaware) )

FILED/ACCEPTED

JAN 25 2010

Federal Communications Commission  
Office of the Secretary

To: Marlene H. Dortch, Secretary

For transmission to: Chief, Video Division, Media Bureau

**COMMENTS OF FOX TELEVISION STATIONS, INC.**

Fox Television Stations, Inc. ("FTS"), the licensee of WTTG/22207, Washington, DC, files these comments in response to the Notice of Proposed Rulemaking ("NPRM") in the above referenced proceeding.

The instant NPRM proposes to allot a commercial television station on channel 5, in Seaford, Delaware. Because there is no previous major channel number associated with the proposed allotment, presumably, it would also be assigned Program and System Information Protocol ("PSIP") channel 5. WTTG transmits on digital channel 36, but its virtual/PSIP channel is channel 5. As described in the Engineering Statement attached hereto in Attachment A, television stations closer than 250 km from each other should not use the same virtual/PSIP channel because such use would cause tuner conflicts and may also cause conflicts at Multichannel Video Program Distributor ("MVPD) head-ends. The proposed allotment on channel 5 to Seaford, Delaware is approximately 130 km from WTTG, well within the 250 km range that would cause conflicts. Consequently, allotment and assignment of PSIP channel 5 to Seaford, Delaware will likely result in consumers' tuners and MVPD head-ends unable to

receive either WTTG or the proposed Seaford, Delaware allotment or constantly shifting between the two.

Due to this likely PSIP conflict, FTS requests that the allotment have a virtual/PSIP channel assigned to it other than channel 5 or if it is not possible to assign a different virtual/PSIP channel other than the channel allotted, a different channel should be allotted to Seaford, Delaware.

Respectfully submitted,

**FOX TELEVISION STATIONS, INC.**

By:   
Joseph M. Di Scipio  
Vice President

Fox Television Stations, Inc.  
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202-715-2350  
Dated: January 25, 2010

## Engineering Statement

January 21, 2010

Providing a spacing of 250 km between DTV stations using the same virtual channel will insure that the consumer will not have anomalous behavior from his DTV receiver. Should a consumer experience two different RF channels with the same virtual channel, the proper tuning operation of his television receiver will be impossible as there will be a direct conflict between the psip streams from each station.

Given the spacing requirements for DTV stations set forth in 73.623(d)(1) which range from 196.3 km to 273.6 km, the 250 km recommended value is both reasonable and practical.

Also the 250 km value will protect consumers and MVPD head-ends located outside the Service Contours of DTV stations from anomalous tuning problems as described above.

R. Evans Wetmore, PE

