

November 29, 2010

VIA COURIER

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

FILED/ACCEPTED

NOV 29 2010

Federal Communications Commission  
Office of the Secretary

Attention: Video Division  
Media Bureau

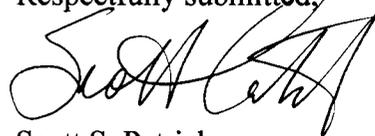
Re: KTSM-TV, El Paso, Texas  
Facility I.D. No. 67760  
Petition to Amend the DTV Table of Allotments

Dear Ms. Dortch:

On behalf of Comcorp of El Paso License Corp., licensee of commercial television station KTSM-TV, El Paso, Texas, we hereby transmit an original and four copies of a *Petition for Rule Making* requesting the substitution of Channel 16 for Channel 9 at El Paso, Texas in the DTV Table of Allotments.

If any additional information is needed in connection with this matter, please contact me.

Respectfully submitted,



Scott S. Patrick

Enclosure

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

FILED/ACCEPTED  
NOV 29 2010  
Federal Communications Commission  
Office of the Secretary

In the Matter of )  
)  
Amendment of Section 73.622(i) )  
Post-Transition Table of Allotments, )  
Digital Television Broadcast Stations )  
(El Paso, Texas) )

MB Docket No. \_\_\_\_\_  
RM- \_\_\_\_\_

To: Office of the Secretary  
Attn: Chief, Video Division  
Media Bureau

**PETITION FOR RULE MAKING**  
**TO AMEND THE DTV TABLE OF ALLOTMENTS**

By its attorneys and pursuant to Sections 1.401, 73.616, and 73.622(a) of the Commission's Rules,<sup>1</sup> Comcorp of El Paso License Corp. ("Licensee"), licensee of KTSM-TV, El Paso, Texas (the "Station"), hereby respectfully petitions the Commission to institute a rulemaking to amend Section 73.622(i), the Post-Transition DTV Table of Allotments, by substituting Channel 16 as the Station's allotment in lieu of Channel 9.

Specifically, the Post-Transition DTV Table of Allotments would be amended as follows:

	<b><u>Present</u></b>	<b><u>Proposed</u></b>
El Paso, Texas	7, <u>9</u> , *13, 15, 18, 25, *39, 51	7, *13, 15, <u>16</u> , 18, 25, *39, 51

Licensee is seeking the channel substitution because the Station experienced significant technical difficulties following the termination of analog service on June 12, 2009, and its

<sup>1</sup> 47 C.F.R. §§ 1.401, 73.616, 73.622(a).

associated transition to operations on the Station's traditional VHF Channel 9. As a result of the transition to the VHF channel, a sizable number of the Station's viewers no longer could receive the Station's over-the-air signal. After analyzing the situation, reviewing field test results, and monitoring service, Licensee requested and received authority in July 2009 to resume DTV operations on its pre-transition Channel 16 facilities.<sup>2</sup> Extensive comparative testing has led Licensee to conclude that Channel 16 allows for better broadcast service to the public than the currently allotted Channel 9.

As the attached Technical Exhibit demonstrates,<sup>3</sup> the Station's proposed service area encompasses its community of license. The proposed operation is not predicted to cause impermissible interference and complies with the Commission's other rules and policies. The International Bureau informally has advised Licensee that the proposed operating parameters are in satisfaction of existing agreements with Mexico. Further coordination with Mexico may not be required.

For the convenience of the Commission, we hereby provide the proposed parameters:

Facility ID	State and City		DTV				
			Ch	ERP kW	HAAT (m)	Latitude (DDMMSS)	Longitude (DDMMSS)
67760	TX	EL PASO	16	250	577	314819	1062859

For the foregoing reasons, Licensee respectfully requests that the Commission amend the Post-Transition DTV Table of Allotments as proposed. Adoption would serve the public interest by permitting the Station to continue service to viewers who traditionally have relied upon it.

<sup>2</sup> See FCC File Nos. BDSTA-20090715AIG, BEDSTA-20100119ACP.

<sup>3</sup> See Attachment A, Engineering Statement.

Respectfully submitted,

COMCORP OF EL PASO LICENSE CORP.

By:   
Scott S. Patrick

Its Attorneys

**Dow Lohnes PLLC**  
1200 New Hampshire Avenue, N.W.  
Suite 800  
Washington, D.C. 20036-6802  
(202) 776-2000

Dated: November 29, 2010

**ATTACHMENT A**

**Engineering Statement**



**MARSAND, INC.**

Matthew A. Sanderford, Jr., P.E.

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## **ENGINEERING STATEMENT**

**In support of a**

**Petition for Rulemaking for**

**COMCORP of El Paso License Corp.**

**KTSM-TV El Paso, TX**

### **PURPOSE**

MARSAND, INC. has been retained by Comcorp of El Paso License Corp. (Comcorp) to prepare this engineering statement in support of a Petition for Rulemaking. Comcorp currently operates the licensed digital television station KTSM-TV on channel 9 (BLCDDT-20090612AIL). It is proposed herein to substitute DTV channel 16 for KTSM-TV and relinquish channel 9.

### **HISTORY**

The Federal Communications Commission (Commission) originally allotted channel 16 as the paired digital channel to analog channel 9 in El Paso, TX, in the Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders on Advanced Television. The facility was built out and licensed under BLCDDT-20050914ABZ. Subsequently, Comcorp elected to return to channel 9. This post-transition facility was built out and licensed under BLCDDT-20090612AIL.

The aftermath of shutting down the channel 16 digital facility and starting up post-transition services on channel 9 was a steep loss of service to the viewers. In order to mitigate the loss of service, two applications were filed with the Commission and granted. BDSTA-20090715AIG re-established digital service on channel 16 identical to pre-transition status, and BDSTA-2010608ADX increased power on channel 9 to 65kW ERP.

A field strength and signal quality study was commissioned and completed in the El Paso market. The findings as well as anecdotal accounts indicate channel 16 provides a better service to the community than channel 9.

**DISCUSSION**

The proposed site is located at a multiuse broadcast facility on Ranger Peak in El Paso, TX. The proposed directional antenna pattern details are shown below in Figure 1. The proposed coverage contour is shown in Figure 2 and completely covers the city of license.

An interference study using the TV Process Post Transition analysis program by Meintel, Sgrignoli & Wallace (a software program which is familiar to the Commission that is written in Fortran and run on a Sun Microsystems workstation and employs the methods outlined in the OET 69 Bulletin), confirms that the proposal would not exceed 0.5% new interference to any other station (using the existing, post transition database). The study results are listed in the Appendix. A summary of the interference study is included below in Table 1.

<b>Stations Potentially Affected by Proposal</b>							
Channel	Call Letters	City/State	Distance (km)	Status	Application Reference Number	Interference	
						Existing	New
15	KFOX-TV	EI PASO TX	1.2	LIC	BLCDT -20051103AAE	Proposal causes no Interference	

Table 1

The proposal is clear of any FCC monitoring stations, quiet zones, border zones and Table Mountain. It is also further than 3.2 km from the nearest AM station. However, it is located 4.4 km from Mexico which places it within the Mexican Border Zone. Since the pre-transition, licensed facility has already been coordinated with Mexico and the proposal is identical to the previously licensed one, no coordination should be necessary.

**CONCLUSION**

It is respectfully requested that the Commission grant the proposed substitute DTV channel 16 in place of the licensed channel 9 with the technical specifications as follows:

- Digital Channel ..... 16**
- Effective Radiated Power (ERP) ..... 250 kW**
- Height Above Average Terrain (HAAT) ..... 577 m**
- Latitude ..... 31-48-19 N (NAD27)**
- Longitude ..... 106-28-59 W**

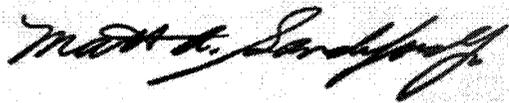
**DECLARATION**

Matthew A. Sanderford, Jr., P.E., declares and states that he is a graduate Electrical Engineer with a Bachelor of Science Degree in Electrical Engineering from the University of Texas at El Paso, a Licensed Professional Engineer in the State of Texas, and his qualifications are known to the Federal Communications Commission, and that he is President of MARSAND, INC., a Registered Professional Engineering firm in the State of Texas, and that firm has been retained by the Licensee, to perform the engineering support as contained in this report.

All facts contained herein are true of his own knowledge except where stated to be on information or belief provided by the Comcorp, and as to those facts, he believes them to be true.

\_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.



\_\_\_\_\_

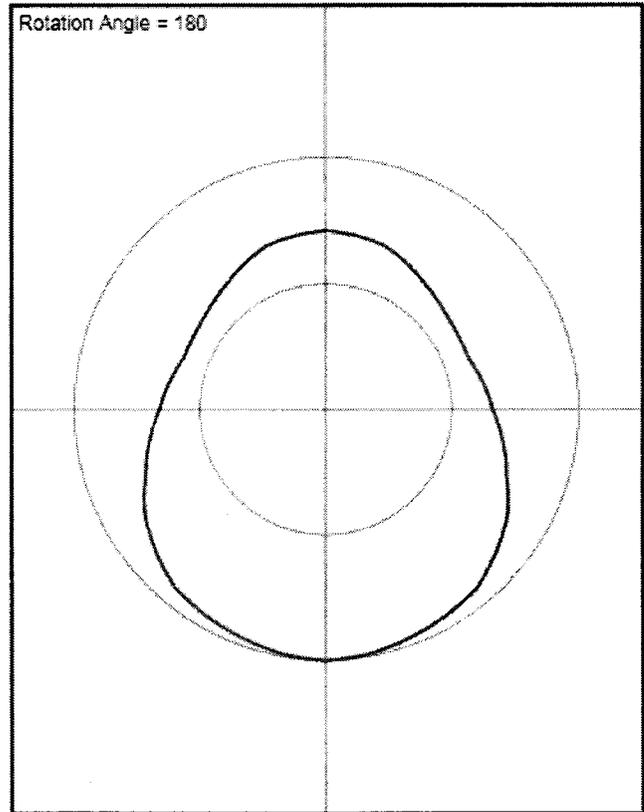
Matthew A. Sanderford, Jr., P.E.  
President - MARSAND, INC.

Executed this 24<sup>th</sup> day of November, 2010  
State of Texas

## **Appendix**

Antenna Pattern  
Pre-Rotation Antenna Pattern....

Azimuth (deg)	Relative Field
0.0	1.000
10.0	0.990
20.0	0.970
30.0	0.950
40.0	0.930
50.0	0.880
60.0	0.830
70.0	0.760
80.0	0.710
90.0	0.660
100.0	0.630
110.0	0.600
120.0	0.600
130.0	0.610
140.0	0.630
150.0	0.660
160.0	0.690
170.0	0.700
180.0	0.710
190.0	0.700
200.0	0.690
210.0	0.660
220.0	0.630
230.0	0.610
240.0	0.600
250.0	0.600
260.0	0.630
270.0	0.660
280.0	0.710
290.0	0.760
300.0	0.830
310.0	0.880
320.0	0.930
330.0	0.950
340.0	0.970
350.0	0.990



**Matthew A. Sanderford, Jr., P.E.**

Percent allowed new interference: 0.500  
Percent allowed new interference to non Class A LPTV: 2.000  
TW Census data selected 2000  
Data Base Selected  
/space/software/cdb/pt\_tvdb.sff  
TV INTERFERENCE and SPACING ANALYSIS PROGRAM

Date: 11-24-2010 Time: 11:17:58

Record Selected for Analysis

KTSM-TV USERRECORD-01 EL PASO TX US  
Channel 16 ERP 250. kW HAAT 577. m RCAMSL 01819 m  
Latitude 031-48-19 Longitude 0106-28-59  
Status APP Zone 2 Border Site number: 01  
Dir Antenna Make usr Model ktsm-rfs Beam tilt N Ref Azimuth 180.  
Last update Cutoff date Docket  
Comments  
Applicant

Cell Size for Service Analysis 2.0 km/side

Distance Increments for Longley-Rice Analysis 1.00 km

Facility (site # 01) meets maximum height/power limits

Site number	1	41.0 dBu F(50,90)		
Azimuth (Deg)	ERP (kW)	HAAT (m)	(km)	
0.0	126.025	276.8	77.6	
45.0	96.100	620.2	100.5	
90.0	108.900	621.9	101.7	
135.0	204.756	693.1	110.2	
180.0	250.000	643.5	109.8	
225.0	204.756	551.7	103.5	
270.0	108.900	632.0	102.1	
315.0	96.100	580.6	98.8	

Evaluation toward Class A Stations from site # 01

No Spacing violations or contour overlap  
to Class A stations from site # 01

Class A Evaluation Complete

No spacing violations found to other full service stations from site # 01

LANDMOBILE SPACING VIOLATIONS FOUND

NONE from Site # 01

Checks to Site Number 01

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 within the Mexican coordination distance  
Distance to border = 4.4km

Proposed station is OK toward AM broadcast stations

\*\*\*\*\*

Start of Interference Analysis

		Proposed Station		
Channel	Call	City/State	ARN	
16	KTSM-TV	EL PASO TX	USERRECORD01	

Stations Potentially Affected by Proposed Station

Chan	Call	City/State	Dist(km)	Status	Application	Ref. No.
15	KFOX-TV	EL PASO TX	1.2	LIC	BLCDT	20051103AAE

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Analysis of Interference to Affected Station 1

Matthew A. Sanderford, Jr., P.E.

Analysis of current record

Channel	Call	City/State	Application Ref. No.
15	KFOX-TV	EL PASO TX	BLCDT -20051103AAE

Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application Ref. No.
16	KTSM-TV	EL PASO TX	1.2	APP	USERRECORD-01

Proposal causes no interference

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Analysis of Interference to Affected Station 2

Analysis of current record

Channel	Call	City/State	Application Ref. No.
16	KTSM-TV	EL PASO TX	USERRECORD-01

Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application Ref. No.
15	KFOX-TV	EL PASO TX	1.2	LIC	BLCDT -20051103AAE

Total scenarios = 1

Result key: 1  
Scenario 1 Affected station 2  
Before Analysis

Results for: 16A TX EL PASO USERRECORD01 APP  
HAAT 577.0 m, ATV ERP 250.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	855151	34785.0
not affected by terrain losses	851155	33130.1
lost to NTSC IX	0	0.0
lost to additional IX by ATV	73	196.3
lost to ATV IX only	73	196.3
lost to all IX	73	196.3

Potential Interfering Stations Included in above Scenario 1

15A TX EL PASO BLCDT 20051103AAE LIC

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FINISHED FINISHED FINISHED FINISHED FINISHED FINISHED

