

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)
) MB Docket No. 03-185
Amendment of Parts 73 and 74 of the)
Commission’s Rules to Establish Rules for Digital)
Low Power Television, Television Translator, and)
Television Booster Stations and to Amend Rules)
For Digital Class A Television Stations)

Comments of Folse Communications, LLC

On September 17, 2010, the Federal Communications Commission (“FCC” or “Commission”) issued a *Further Notice of Proposed Rulemaking* in the matter of the digital transition for Class A, LPTV and TV translator stations requesting comments on a variety of issues related to the transition of Class A, LPTV and TV translator stations. Folse Communications, LLC (“Folse”) hereby submits the following comments in response to this *Further Notice of Proposed Rulemaking*.

Folse Communications

Folse is the licensee of two Class A stations in southeast Louisiana, KFOL-CD in Houma, Louisiana and KJUN-CD in Morgan City, Louisiana. Together, they provide virtually all of the local news, sports, weather and entertainment coverage of southeast filling a gap not served by the full power stations licensed to New Orleans, Lafayette, LA or Biloxi, MS. In short, Folse’s two stations are a vital component of southeast Louisiana’s media landscape.

Both stations transitioned to digital operations in January 2010. Folse spent a considerable amount of its own funds to convert both stations to digital operation in 2009 and 2010. Of that amount, it was able to only recoup \$20,000 from the Digital Television Transition and Public Safety Fund because the National Telecommunications and Information

Administration (“NTIA”) only deemed one station, KJUN-CD to be sufficiently rural, according to the definitions it adopted. Since Folse has already converted and paid the hefty price tag for doing so, it is particularly concerned about the possibility of having to transition a second time should its spectrum be reallocated, a possibility under the National Broadband Plan.

Regardless of when the LPTV DT transition termination date is set as discussed in Paragraph 17 of the NPRM, Folse strongly believes that in the event that licensees that have already transitioned to digital operations be displaced and required to transition again due to spectrum reallocation under the National Broadband Plan, funds should be made available up front for these stations to transition. Asking stations that are already facing financial difficulties in this challenging economy and have already outlaid significant capital for the first transition, to front their own money for a second (or even third) digital transition is essentially asking these stations to go out of business. Unless these stations are given sufficient funds ahead of time to make the necessary further transitions, numerous stations that serve already vulnerable and underserved populations may very well go dark due to severe financial hardship. Dark stations are in neither the public’s interest nor that of the government.

Further, there should be no cap on the amount of funds available to these stations as costs for the average conversion are easily well in excess of the \$20,000 per station that is being offered through the Public Safety Fund. The availability of funds also should not be restricted to stations in rural areas. This restriction significantly reduces the number of stations that are eligible leaving the stations that have the most need without the funding. Indeed, Folse was not able to obtain funds from the Public Safety Fund for its transition of KFOL-CD because the station’s population was deemed to not be sufficiently rural. The fact that NTIA still has money to grant is not an indication of lack of interest but a direct result of the restrictive and limiting

criteria used to determine the rurality of a given station. The FCC should take great pains to avoid disqualifying many stations that need the funds by not using this criteria.

Power Levels

The FCC also requested comment in the *NPRM* on "...whether power levels and interference protection criteria that are currently specified in the rules are appropriate to ensure that post-transition low power TV signals provided to consumers will be of an estimable quality." Folse has conducted numerous tests of both stations' signals in and around their respective coverage areas and has found numerous issues directly related to the power and interference levels. The most difficult problem that it is having is interference from KVHP in Lake Charles which washes out the signal for KFOL at the headend receive location for Vision Cable in Larose. Certain weather conditions such as fog or ducting will result in a nullification of KFOL's signal at the Vision headend.

Individual viewers also have a difficult time receiving KFOL at their homes within the coverage area. Problems have been reported in Cut Off and Thibodaux. Folse has also had problems with KJUN's coverage area in Morgan City, some of which is related to KJUN being on a VHF channel. Allowing Class A digital stations to have higher output powers would make a considerable difference in the reception quality of Folse's signals throughout southeast Louisiana. Moreover, amending the interference protections might also provide Folse with more of a buffer against the intrusive interference that it is receiving from a full power station on the other side of the state.

Conclusion

Folse has been serving southeast Louisiana for over 15 years and greatly wishes to continue to do so with greater power, more interference protection and the knowledge that

should it have to transition its stations again due to spectrum reallocation, it will be fully funded at the start to do so.

Respectfully submitted:

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