



KULX-CA Ogden • KULX-LD • KQTI Ogden

KUTA-LD, K10OX Logan • KULU Park City

Airwaves, Inc 453 Simoron Drive, Ogden, Utah 84404

**RESPONSE OF AIRWAVES, INC. LICENSEE OF
KULX-CA 51, KULX-LD 10, KQTI 14, KUTA 8, K10OX, KULU 16
TO THE FURTHER NOTICE FOR PROPOSED RULEMAKING IN
MB DOCKET NO 03-185**

Analog Shut Off Date

I operate two analog stations that still have an audience, but it is diminishing. The audience is what keeps Class A and LP Stations going, and the Commission should allow for an orderly transition date of at least 2 years after announcement to allow this audience to move to digital. As these are Spanish Language Stations, a reasonable time must allow for saving enough money to buy new sets, and teaching the viewers how to use them. As a group, the Hispanic audience earns less than the Anglo audience. Lower income families need to have and use free TV.

Filing Freeze

The freeze should be lifted for these communities where they demonstrate need for local origination. The people come first, and many smaller rural towns are growing fast and creating needs for local communication now. KUTA in Logan has 111 volunteers helping with local programming during the past year. Where no local over-the-air signal is being created, it is in the public interest to provide these rural communities with at least one station now. These communities may be near large metro areas, but with terrain (Mountains) that block signals. The LOCAL community programming creates valuable communications. Logan has grown to over 125,000 people and there is a real need that has not been ignored. Rural Utah like Kamas and Park City areas have large populations but little or no local origination. Other small communities need this service for safety, growth, and governmental interaction.

Surrender of Channels

Class A or LP Licensees who hold digital companion channels, or licensees who meet Class A standards who want a new digital companion channel should have the right to flash cut, or build on a new frequency, so long as only one channel remains, providing they can show improved service to the people. The people must always come first. How we serve them is the most important part of Class A and Low Power Community broadcasting. No channel should be discontinued unless appropriate notice to the community is issued. Stations should have at least a year to consider and another year to construct the best signal they can get to serve their community, so the people get the best signal available. Cable carriage is not always available to these stations.



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CLASS A TELEVISION TRANSITION TO DIGITAL

Class A stations must be encouraged to move their signal to digital, transfer their Class A status to that channel they want to continue, and proceed with an orderly shut down of the channel to be surrendered. Each station needs the Class A protection to apply to the chosen frequency and the audience of those stations must be respected by providing an orderly transition of two or three months from the date that the Class A status is approved by the FCC. This will allow for viewers and cable systems to get the appropriate equipment in place so the public is not inconvenienced. The viewers and communities must be respected. So an appropriate notice of the change should be promoted by the station to viewers before one of the two signals goes dark. We need this form to be immediately available, with an automatic grant. If the digital companion channel may be the final channel chosen, then technical protection issues should be reasonable. If no interference is in existence on these channels now, and no one has complained, then it should be granted. Viewers in the area and market to be served should be assured that they get the best signal possible from their existing local station. Putting the people first, Class A stations should be able to improve their final channel signal, if practical, to deliver the best signal to the viewers who rely on over-the-air broadcast. This should be by use of vertical signal, beam tilt, and all the techniques used for analog broadcasting. Low power means more extraordinary antenna measures, and appropriate increase in transmitting power and signal strength reaching the viewers. Remember, many viewers want a super signal that they can pick up with “rabbit ears” type antennas.

VIEWERS, NOT THE FCC OR THE STATIONS, DECIDE HOW THEY ARE GOING TO VIEW A SIGNAL. At present this means a very strong penetrating signal that is easy to establish. We must also acknowledge many viewers can no longer afford expensive cable service, and they get the same channels free over the air.

ANCILLARY AND SUPPLEMENTAL SERVICES

Community service stations have restricted income. As a group, low power stations don't make any money, and the fees collected would most likely not be sufficient to justify the expense of collection. So the Commission should allow these stations to provide ancillary and supplemental services as possible without a fee, so long as they continue their main channel of community service. Filing a report will create more cost with little or no revenue.



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MINOR CHANGE DEFINITION

The present minor change definition should stand. Communities expand, needs change, and viewer needs change. The industry is still learning about Digital Television. A move may be necessary for a station to put a bigger signal into the community to be served. We need more power. My Channel 10 signal serves the Salt Lake City Latino community and it just doesn't have the power to get the job done, and it has a circular medium power antenna on Farnsworth peak. My Channel 8 in Logan is at 300 watts, and 12 miles away and they still can't get it.

The Commission should recognize that the public we serve only cares about getting the best signal at their point of reception. And we must recognize that even outdoor antennas with signal splitters can deliver a lousy signal to the ultimate set. The industry does not know enough about digital transmission, so the Commission should allow for maximum service within the present rules. Many people are returning to free TV.

My High V stations need 10 times the power for people to accept them.

If the Commission is to regulate Television, then you must allow a Television signal standard that the PEOPLE want. Licensees are in contact with the public they serve. I absolutely guarantee to the Commission that unhappy viewers do "raise hell". People pay cable to get a better signal than broadcast. Cable does not always want a Class A or LP station. But the minority audience they serve is important. The Commission should not stand in the public's way to get better free signals. If you do, you most likely will not have Television Stations to regulate, and diversity is diminished. Our present Television Station system is used by 77% of the public, and Television News is the standard now for reliable, accountable, news dissemination. To reduce signals and confound the public, impacts their right to a free press, the right to know, and the great communications miracle that is Television. You want to re-pack the dial, then keep the present rules on Minor Change so the industry can react to your plans. Cable only goes where it is profitable. Low power serves where it is less profitable, if at all.

ANTENNA VERTICAL RADIATION PATTERNS

I support the proposal to use actual vertical radiation patterns for low power and Class A stations. Low power should be able to use any creative antenna design to supply the best possible signal to the people of the community to be served, so long as that signal does not go out of the protected signal contour.

Respectfully submitted
Airwaves, Inc.
John C. Terrill, President