

Cohen, Dippell and Everist, P.C.

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

In the Matter of)
)
Amendment of Parts 73 and 74 of the) MB Docket No. 03-185
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
Cohen, Dippell and Everist, P.C.

The following comments are submitted on behalf of Cohen, Dippell and Everist, P.C. (“CDE”) and is in response to the Further Notice of Proposed Rulemaking and Memorandum Opinion and Order, MB Docket No. 03-185, released September 17, 2010. CDE and its predecessors have practiced before the Federal Communications Commission (“FCC”) for over 70 years in broadcast and telecommunications matters. The firm or its predecessors have been located in Washington, DC since 1937 and performed professional consulting engineering services to the communications industry.

The undersigned has been in continuous employment with the firm or its predecessors for over 40 years. The undersigned has been licensed as a Professional Engineer in the District of Columbia for over 40 years.

Channel Surrender

CDE supports the proposed surrender of channels and the proposal to authorize the Media Bureau to handle the process. The FCC is urged to permit those stations outside the top 100 markets¹ to have a minimum of two years in which to build the DTV facility. This will provide in this harsh economic climate additional time for smaller market analog translator operators to transition to digital.

Freeze Waiver

CDE understands the FCC desires to implement the freeze on new low-power translator facilities that do not have a previous analog facility. However the FCC should consider slightly expanding its freeze waiver criteria for the filing of new facilities in exceptional circumstances. Due to the expanded capacity of the DTV emission structure, the last two years have seen the entrance of new program material that can be offered to the viewing public. Unlike the now terminated analog transmission, this program material can now be transmitted through the more efficient DTV transmission system. Also, it is understood that in many markets off-the-air broadcasting reception has increased since completion of DTV transition. Therefore, the FCC should consider for currently authorized full service licensees that can provide new programming be permitted to obtain a waiver of the translator filing freeze to permit the filing. Authorization

¹Appendix A of FCC Public Notice dated June 29, 2009 entitled, "Commencement of Nationwide, First-Come, First-Served Digital Licensing for Low Power Television and TV Translator Services Beginning January 25, 2010"

of such a facility will permit households that receive off-the-air signals expanded program offerings in periods of economic distress² by established full service broadcasters.

Class A

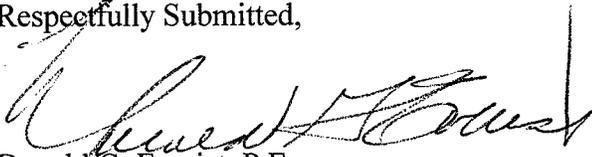
CDE supports the Class A designation be expanded to include those Class A stations that are on their desired DTV channel.

Elevation Patterns

CDE generally supports modification of Table 8 of OET Bulletin 69 to permit the use of manufacturer elevation pattern data. However, the FCC should consider when applicants specify this manufacturer elevation, other data when it appears that such manufacturer technical performance may be significantly modified due to hostile RF environment such as the presence of guy wires in the proposed TV translator antenna aperture. Other situations may arise such as side-mounted non-directional antennas where significant energy is directed into the tower supporting structure or any difficult antenna placement environment that can give rise to significant elevation pattern modification or deviation. In a difficult RF environment may not accurately portray the resultant interference situation when antenna manufacturer data is specified.

²Recent poll indicate 1/3 of the households have experienced job loss. This reduces the household income and therefore expanded off-the-air DTV service should be encouraged.

Respectfully Submitted,


Donald G. Everist, P.E.

Date: December 17, 2010