

RE: FCC Docket No. 12-268  
From: Kenneth E. Lewetag  
Date: March 17, 2013

In regards to FCC Docket No. 12-268

I have been following this process hoping that at some point the voice of reasoning would prevail in regards to the many Broadcasters that operate at less than 15kw also known as LPTV. The amount of misunderstanding of this group abounds mainly that we are a secondary service in reality we are secondary ONLY in terms of interference to those that are on the table of allocations.

Please let me set the stage

As a broadcaster for many years in both full power and now lower power the difference. There is an exception we are more grounded to the local community. Other broadcasters in our local market have offices and control in cities 60 miles away or even 200 miles away. Our broadcasts are the only television broadcaster that brings local news, sports and weather for our community the second largest city in Oregon. We utilize all 19mb of our channel with the local English channel our Spanish channel and the retro channel in effect we are channel sharing already.

As a broadcaster we are also a business that supports not only viewers but business being the only affordable television broadcaster for many small businesses. As a business we have invested almost one million dollars in equipment to get a facility that covers 1.18 million home (Longly rice study). THAT IS ALMOST 1 MILLION DOLLARS not engineering or support cost. We have invested 10,000 of hours in programming and additional money for crew.

Unlike many other we have only been broadcasting after 2000 and that in of it's self has not allowed us to become a Class A with its protection under this plan.

As to the lack of any compensation for any moves in our channel here is the hard REALITY. When we started we knew the rules and unless a station in the table of allocations moved a channel we would not have any changes. We see this a contract we agree to serve the public in exchange for utilizing a small grantee and protected part of the spectrum (other than full power station) we have not dropped our side of the agreement. The odds of that happening were so small that it was not a real concern. Now with the changes coming up the rule shave changed and in effect we are being forced to make changes without compensation.

So what is the cost for such a change? I have been told you may think it is not that much a little tweak here and small change in an antenna no big cost well..... I went and looked at one of our RF channel. The cost is well it starts at \$500,000. The cost to remove the current antenna on top of a 1000ft tower is the largest cost with its replacement. Transmitter is second to that cost rivals the antenna if we are forced to move to a VHF channel it can easily overtake the antenna cost.

Business like us will with the rules of the game changed have all of our equipment made useless and without commendation looking more resemble a "taking" without compensation" . When talking to government official he said we are not taking your equipment and I added no you are making it useless.

Point 1 without allowing any new applications to apply for Class A status we have no access to compensation even though many of the LPTV operators meet or exceed the equipment to serve the community.

Point 2 – making our current equipment effectively useless and there by requiring us to replace it including installation is in effect a taking since this proceeding is in effect a "taking without compensation.