

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

In the Matter of)
Expanding the Economic and Innovation) Docket No. 12-268
Opportunities of Spectrum)
Through Incentive Auctions)

Northwest Television, LLC

Reply Comments

Northwest Television, LLC
Kenneth Lewetag
General Manager

KWVT-LD (DMA #22)
KPWC-LD (DMA #22)
KSLM-LD (DMA #22 & #122)
KDLN-LD CP (DMA #122)

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July 18, 2013

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

RE: Reply Comments in the Matter of Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, GN Docket No. 12-268

Dear Ms. Dortch:

Northwest Television, LLC (NWTV), is a FCC-licensed television station operator in Oregon and southern Washington. We have built, programmed, and operate our stations as any FCC-licensed full power television would, but we have been denied the opportunity of qualifying for full power primary status. With the looming drastic changes coming to the LPTV service due to the involuntary nature of the spectrum auctions to the LPTV service and the resulting repacking of stations, NWTV is pleading with the FCC to reconsider its' position on how to conduct the auction and how to protect valuable LPTV stations in the repack.

NWTV specifically is asking the FCC to consider protection of LPTV stations which are the Primary EAS providers in their cities of license and coverage areas, and to provide these stations with must-carry MVPD carriage within their coverage areas. This request is essential to maintaining a critical civic and government-mandated service during times of disasters.

NWTV, LLC
REPLY COMMENTS

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I. INTRODUCTION

In Comments submitted to this NPRM by Civic Media Advisors, dated 5/20/2013, it is obvious that ALL low power television stations in the USA will be affected by the auction and repack, and most will be faced with total disruption of their valuable local programming services.

Further, since Congress did not authorize for the LPTV service to be compensated for the moves a station would have to do in the repack, this unfunded government mandate to small businesses like NWTV could literally put us out of business. We differ with the Civic Media Advisors analysis in their estimated range of the repack move costs to a typical LPTV station, that is, from a high of \$75,000 to a low of \$25,000. We do however agree with the LPTV Spectrum Rights Coalition, July 3, 2013, Ex Parte presentation, that the average costs of the channel repack for LPTV could be as high as \$156,250. However, due to the nature of the tall 1000' tower and specialty antenna which NWTV has used to build with and utilize to reach over 85% of Oregon residents, our estimated costs in the repack, even for a simple channel change, could result in costs exceeding \$250,000, and if a total replacement of our transmission plant close to \$1 million.

NWTV provides many valuable services to its' viewers and the numerous and diverse communities they live in, from the major urban populations centers in the State, to the agricultural communities of the Willamette Valley, the timber-based small communities next to the national forests, the major university communities in the State, and the official EAS provider for the State of Oregon Capitol Region area.

For the above reasons, **NWTV is requesting that the FCC provide for an administrative process that would allow valuable community stations in all DMA to convert to full-power**

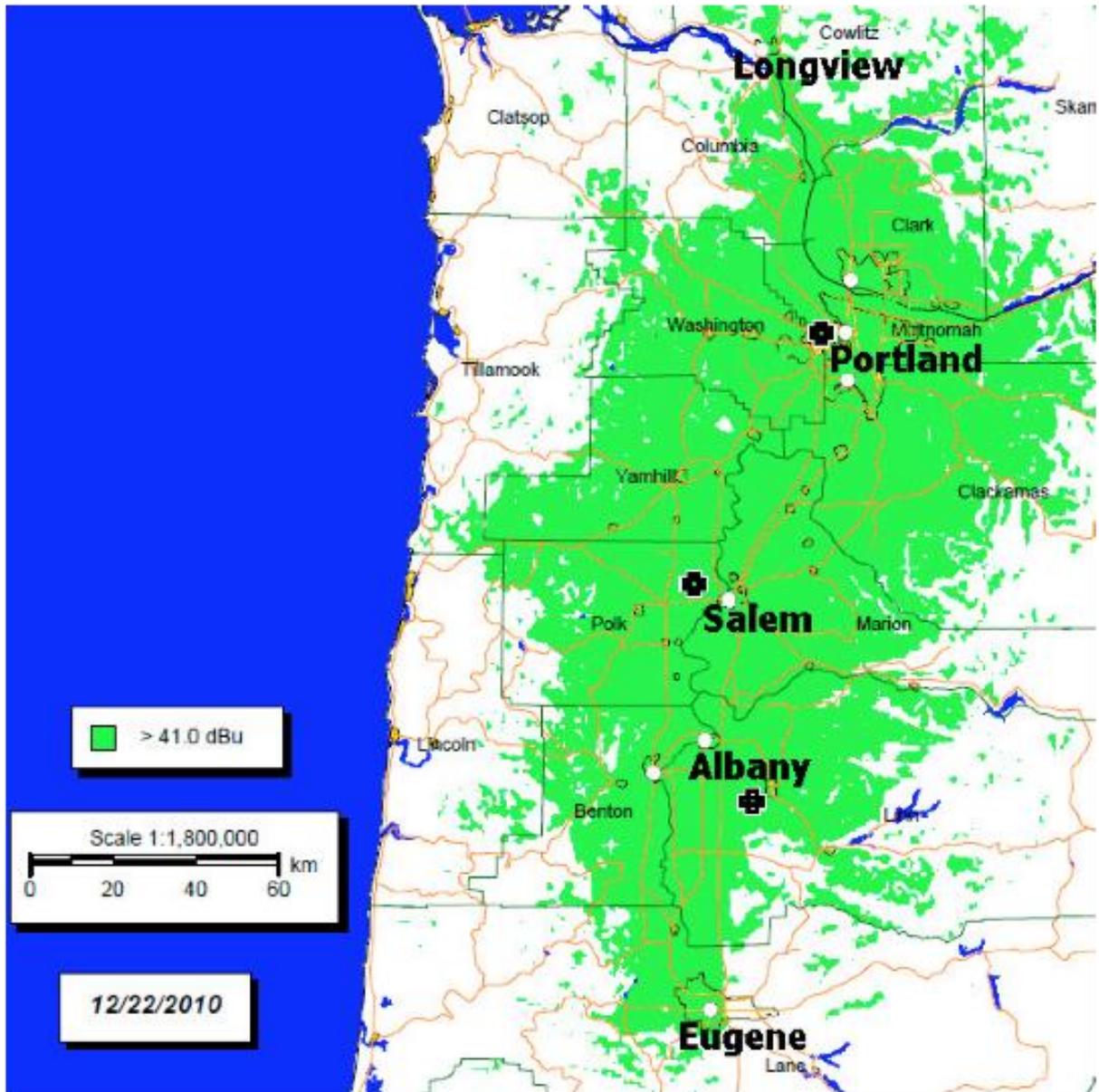
status PRIOR to the auction, and if that is not possible, then to harmonize ALL broadcast television services in the repack. Further, LPTV stations which provide and in many cases exceed the Class-A and full requirements, on a case-by-case basis, should be able to apply for protected status, not be eligible for the auction, and be allowed to continue operations both during and post repack. To simply eliminate all of the LPTV stations during the repack, and to force LPTV to move at their own costs without any consideration of the valuable community functions they provide (in our case being the Primary EAS provider to the State Capitol Region) does not make good operational sense, and is a violation of the FCC's mandate to provide local content.

II. COVERAGE AREA OF 85% OF STATE POPULATION

NWTV operates three LPTV digital stations and has a CP for a fourth in Oregon, in DMAs #22 and #122, covering all of the Willamette Valley, including the major population centers of Portland, Salem, Corvallis, and Eugene.

- The combined coverage of these stations is almost 3 million people in 15 Oregon counties, which comes to about 85% of the population of the State.
- The total coverage area of our regional superstation is over 7,000 square miles.
- These coverage areas include the State Capitol region, the top three economic centers, the major university areas, and the prime agricultural growing areas of the State.
- Our KWTV-LD Portland signal also is seen by many viewers in the southern Washington State area around Vancouver, WA, which is also part of the Portland DMA.
- NWTV channels are also seen on 32 small and 4 medium sized paid cable television systems, but we are not carried on the major systems.

Northwest Television Coverage



Valid for:
Channel 17 KWVT – Willamette Valley Television
Channel 27 KSLM – Retro Television
Channel 37 KPWC – Azteca Oregon

This map is a composite of coverage for FCC Facility ID Numbers 129197, 129164, 130048.
The channels listed above are simulcast on each transmitter facility.

III. PROVIDING DIVERSE NATIONAL AND LOCAL PROGRAMMING

NWTV airs on its digital sub-channels a mix of national network and local origination programming to serve multiple and diverse audiences which have come to rely on us for this programming mix.

- The national networks we carry include classic TV network RetroTV, Hispanic language network Azteca, and sports and entertainment network America One. We locally produce and originate over a dozen hours each week of programming for our geographically dispersed communities. This local programming includes local country western music shows, local farm-to-restaurant shows, regional fishing shows, local gardening, many faith-based shows from local churches, and local news and public affairs. We also have produced and aired numerous high school sports, bowl games, semi-pro sporting events, and regional sporting championships. In addition, we have purchased and edited for television a programming library of over 1000 hrs. of shows which we draw from to provide a wide range of culturally diverse and age appropriate content. This has been a major investment for our business.



IV. EXCLUSIVE LIVE LOCAL WEATHER FOR THE STATE CAPITOL REGION

Our mid-Willamette Valley region weather reports are the only localized daily live weather reports for the State Capitol region.

- These are especially important since the full power stations in Portland do not provide this service, and usually very late to report what is going on locally in the State Capitol area.
- During the past eight years that KWVT-LD and its' affiliated stations have on the air there has been major flooding in the Capitol region and KWVT-LD has been the only local station with immediate coverage and warnings.

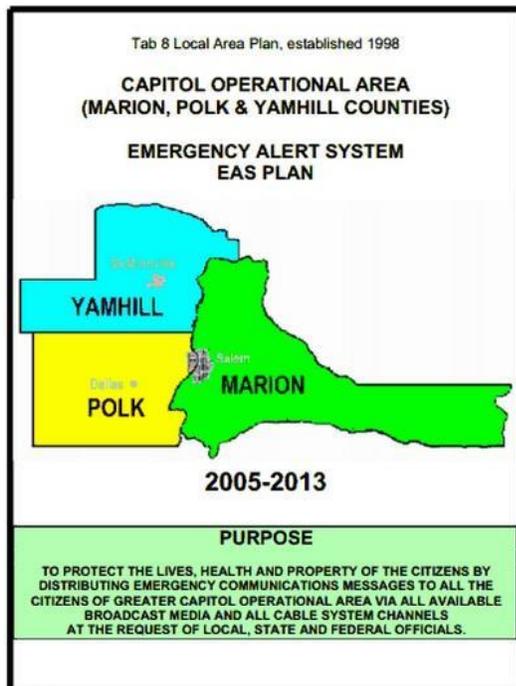


Thursday, January 19, 2012 - OregonLive.com photo

V. OFFICIAL EAS FACILITY FOR THE STATE CAPITOL OPERATIONAL AREA

Our KWTV-LD station is the primary designated EAS broadcaster for the (Oregon) Capitol Operational Area. This means we are the prime provider of EAS broadcasting not just for broadcast stations, but also for the cable television systems.

- While our EAS signal is used by the local State Capitol cable television systems, our channel is not carried on the major cable system.
- Not only are we the primary EAS provider, but we have the only station we know of in the United States that has facilities for the local emergency Public Information Officers to have full access to our stations with video and audio so that the public gets the information directly without filtering by a TV station news department.
- We invested in a special microwave system in order to provide this service.



Regional EAS Plan and the Oregon State Capitol Building

VI. FULL-POWER STATION TECHNICAL PLANT AND ENGINEERING STAFF

The technical plant for the NWTV, LLC stations is well-built, as good if not better than most full power stations in the region.

- The principal owners of NWTV, LLC have combined over 30-years of experience as full power station engineers, station managers, operations manager, and production manager.
- We installed the first in the USA dual-channel antenna designed for digital and analog transmission.
- We operate our stations and channels as any full power licensee would, and in many cases are much more local than they are.
- We have the only full HD remote vehicle in the Willamette Valley.



We are located on a 1000' ft. tower and any changes we will have to make to our antenna will cost a lot.

VII. AFFORDABLE ADVERTISING RATES FOR SMALL BUSINESSES

We are the only affordable broadcast TV outlet for local businesses to advertise on.

- Many small businesses have told us that the rates we charge make it possible for them to participate in television advertising so that they can serve audiences which they have been priced out of reaching.
- One recent advertiser said that without his commercials on our station he would not have survived the recent hard economic times.
- Even though we cover more households than some Portland full power stations, our advertising rates are reasonable priced to help the local businesses, and in many cases for as much as 1/10 the costs in Portland.

VIII. ENABLING A NEW STATEWIDE CIVIC BROADCASTING CHANNEL

During the past decade Oregon had a cable public access channel dedicated to state government programming and was funded by the State legislature.

- However, that business model did not work out and the service is no longer operating.
- NWTV has been instrumental in organizing a new State government content network and since it operates a station in the State capitol it will be providing key operational resources, such as our HDTV remote vehicle, the only one in the region, to cover events at the State capitol in Salem.
- Most Oregon communities rarely have more than 55% paid cable carriage and in many cases lower.
- While satellite services are valuable to rural residents, the vast majority rely on free over-the-air broadcast television for local news and weather.

- The NWTV stations and channels provide this needed service as well and in many cases better than a distant full power station.
- We intend on becoming the regional broadcast affiliate for the new Civic Affairs TV Network in order to provide US federal government and Congressional sessions to our Oregon broadcast audience.

IX. SUMMARY

In summary, NWTV is requesting that the FCC either open up a window so that community-relevant local LPTV broadcasters can apply to become full power stations, or that the FCC provide for a “safe-harbor” for community and civic stations which are the Primary EAS Provider in their communities. These applicants would have to show that they already are providing the same services as full power licensees, and would have to agree not to participate in the auction so that they could continue to provide their local programming services. Further, these stations could be protected in the repack and not have to incur what would be business-ending repack costs. In addition, these stations could not ask for any power increases, and would have to operate just as they are today, but would get protection in the repack, as would the full power and Class-A stations will.

Respectfully submitted

Kenneth Lewetag

General Manager

Northwest Television, LLC



**CAPITOL OPERATIONAL AREA
EMERGENCY ALERT SYSTEM**
MARION, POLK, YAMHILL COUNTIES
SALEM, OREGON

July 18, 2013

Via ECFS

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

Re: GN Docket No. 12-268: Expanding the Economic and Innovation
Opportunities of Spectrum Through Incentive Auctions

Dear Ms. Dortch:

As the Chair of the Emergency Alert System (EAS) of the Capitol Operational Area serving Marion, Polk and Yamhill counties in the mid-Willamette Valley of Oregon, I want to let you know the importance of FCC licensed low power television station KWVT-LD and its sister stations, KSLM-LD, & KPWC-LD to the governments and citizens of the Mid-Valley. KWVT-LD has been there when the community needed it for emergency public communications. In 1996, and again in 2010, extreme flooding happened in the State Capitol region. The distant Portland TV stations, while in the same TV DMA, and the Eugene TV stations, in the adjacent TV DMA, were both busy getting information to their own local audiences regarding their own local emergency situations. It is regular practice for these stations to completely ignore the State Capitol region during times of emergencies. In practice, they do not consider the entire 120-mile long valley their concern. On the other hand, KWVT-LD immediately provided relay information from the emergency communications officials to the viewing public.

KWVT-LD has not only provided EAS communications, but it has enhanced the capability to send EAS messages, and has established a unique interconnect between the regional Joint Operations Center (JIC) and the TV station facility. This is important in that it

provides emergency personnel with the technical and operation capabilities to directly inform the public rather than filtering through news rooms and reporters.

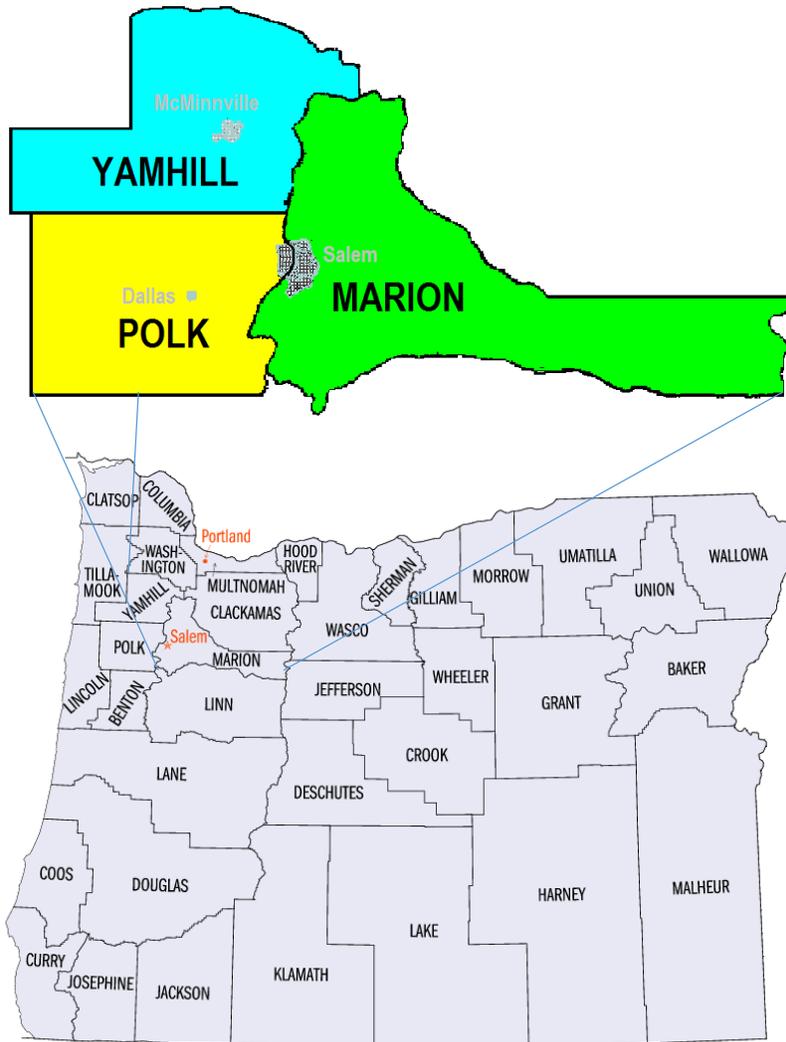
KWVT-LD provides full access to the station so that authorized emergency communications personnel can quickly share on-air information directly to the public. It also allows for the most updated graphic information to flow directly to the audience. This information is then also available to stations in Portland and Eugene, so that broadcasters do not have to send a “crew” to the JIC. Because KWVT-LD's sister station KPWC-LD airs Spanish-language programming, authorities can communicate directly to this diverse audience in a timely and effective manner.

No other stations, either radio or television, can cover the Mid-Willamette Valley in the way KWVT-LD does. Nor has any other station provided this kind of direct access for emergency news and information. Low power television stations like KWVT-LD need protection in the upcoming TV Spectrum Auctions.

Attached are the stations in our operational area that depend on KWVT-LD for EAS and other information in the event of an emergency. The LPTV service can and does provide a valuable link in the EAS chain of public emergency communications, and the threat of the Incentive Spectrum Auction to eliminate it is cause of great concern.

Ken Lewetag
Chair – Capitol Operational Area

CAPITOL OPERATIONAL AREA (MARION, POLK & YAMHILL COUNTIES - OREGON)



CAPITOL OPERATIONAL AREA (MARION, POLK & YAMHILL COUNTIES - OREGON)

Call Letters	Licensed City		Frequency	1st EAS Monitor	2nd EAS Monitor	1st EAS Optional
KWIP	Dallas	POLK	880	KWVT-17 (VC)	KOPB	NOAA 162.475
KWBY	Woodburn	MARION	940	KWVT-17 (VC)	KOPB	NOAA 162.475
KPJC	Salem	MARION	1220	KWVT-17 (VC)	KOPB	NOAA 162.475
KLYC	McMinnville	YAMHILL	1260	KWVT-17 (VC)	KOPB	NOAA 162.475
KKSN	Salem	MARION	1390	KWVT-17 (VC)	KOPB	NOAA 162.475
KYKN	Keizer	MARION	1430	KWVT-17 (VC)	KOPB	NOAA 162.475
KCKX	Stayton	MARION	1460	KWVT-17 (VC)	KOPB	NOAA 162.475
KBZY	Salem	MARION	1490	KWVT-17 (VC)	KOPB	NOAA 162.475

* May monitor KWBY

FM RADIO STATIONS

Call Letters	Licensed City		Frequency	1st EAS Monitor	2nd EAS Monitor	1st EAS Optional
KAJC	Salem	POLK	90.1	KWVT-17 (VC)	KOPB	NOAA 162.475
KSLC	McMinnville	YAMHILL	90.3	KPXG-22*	KOPB	NOAA 162.475
KWBX	Salem	MARION	90.3	KWVT-17 (VC)	KOPB	NOAA 162.475
KSND	Salem	MARION	95.1	KWVT-17 (VC)	KOPB	NOAA 162.475
KPIK-LP	Stayton	MARION	102.9	KWVT-17 (VC)	KOPB	NOAA 162.475

* May monitor KPXG channel 22

TELEVISION STATIONS

Call Letters	Licensed City		Frequency	1st EAS Monitor	2nd EAS Monitor	1st EAS Optional
KWVT	Salem	MARION	17 (VC)	OEM	KOPB	NOAA 162.475
K21GX	Salem	MARION	21	KWVT-17 (VC)	KOPB	NOAA 162.475
KPXG	Salem	MARION	22 (VC)	KWVT-17 (VC)	KOPB	NOAA 162.475
KRCW	Salem	MARION	32 (VC)	KWVT-17 (VC)	KOPB	NOAA 162.475