

### **Explanation Concerning Need for Minor Modification Application**

The original digital construction permit for WGME-DT (FCC File No. BPCDT-19991028ACC) was for 1000 kW with a height of radiation center above average terrain at 491 meters and a directional antenna, Model No. TFU-36GTH06. WGME-DT intended to construct a maximized facility pursuant to this permit and filed a Form 381 Pre-Election Certification form on November 5, 2004 so certifying.

The tower on which WGME-DT is located also supports WGME-TV and a full service FM station. Those facilities could not be relocated. The licensee spent hundreds of thousands of dollars to improve the tower hoping that it could support all three facilities. It was contemplated that the tower could handle a two-channel top-mounted antenna. Extensive structural strengthening of the tower was accomplished, and nine guy wires were changed. The work cost over \$550,000. In the spring of 2005, well after the Form 381 had been filed and after numerous tower studies, the licensee found that the facility could not be constructed according to the construction permit because of tower loading issues. An antenna change was recommended and instead of the original antenna, WGME-DT installed a different directional antenna, Model No. TFU-30DSC-R4C140. The covering license application, filed on June 2, 2005 (FCC File No. BLCDDT-20050602ABZ) reflected the change in directional antenna.

Unfortunately, there was a miscommunication between the engineers working on the tower installation and the consulting engineers who prepared the license application. The consulting engineers did not realize that in addition to the change in antenna, it was also found necessary to place the antenna at a lower height because of the tower loading problems. At the time that these events occurred, both the licensee's parent and the engineers involved were busy

with multiple applications for many DTV facilities to meet the July 1, 2005 replication/ maximization deadline and to place as many DTV stations on the air as possible. An application for a minor modification of the facility was prepared and was filed on June 24, 2005 (FCC File No. BMPCDT-20050624AAC). The minor modification application proposes 1000 kW with a height above average terrain of 465 meters.

On June 30, 2005, WGME-DT filed a request for special temporary authority noting that it had pending an application to modify its facility which specified a different height above average terrain and a different antenna than that specified in its original digital construction permit. That STA request is still pending. WGME is dismissing the pending license application and will file a new covering license application after a construction permit has been issued.