

April 2, 2019

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Joe Tymecki
Chief Technical Officer
Vermont Public Radio
365 Troy Avenue
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Re: Relocation Notice for VPR Translator W256CW as Part of FCC Repack Requirement

Dear Mr. Tymecki:

Our firm represents Vermont ETV, Inc. (“ETV”) in certain matters pertaining to communications towers and antenna facilities. This letter serves as formal notice to Vermont Public Radio (“VPR”), pursuant to Sections 1.8 and 15.2 of that certain License Agreement dated July 1, 2016 as amended (the “License”), of the requirement for VPR to relocate its existing translator W256CW (Antenna Model Shively 6813) (“W256CW”) to a new location on the 245’ guyed lattice communications tower at Grandpa’s Knob, Castleton, VT (the “Tower”). This request is necessary in order for VPR to comply with its FCC repack requirements, and to allow for continued collocation of multiple users on the Tower, while avoiding any potential for “Objectionable Interference,” as those terms are used in Sections 1.8 and 15.2, respectively.

As you are aware, ETV is required by virtue of its FCC Repack Order¹ to transition from channel 9 to channel 10 during the so-called “transition phase 10” of its FCC construction permit for the distributed transmission system (“DTS”) network, which commences in May 2020. The conversion from a DTV- to a DTS-based network requires substitution of ETV’s existing inactive 65’ tall analog antenna (Model Harris Wavestar TWS-30), mounted at a height of 244’ feet aboveground level (“AGL”) on the Tower, with a new 40’ Dielectric antenna at 244’ AGL, and weighing approximately 3900 lbs. ETV plans to complete the replacement work for the new Channel 10 antenna between May and July of 2020.

W256CW is presently situated at a height of 244’ feet AGL on the Tower, mounted within the aperture of the space where the new Channel 10 antenna will be installed. As such, the continued presence of W256CW will create difficulties for the tower climbers conducting the installation work in 2020. Of greater significance, ETV is of the opinion that the location of W256CW will more likely than not impede or alter the signal from the new directionally-based channel 10 antenna as part of the DTS conversion. It is thus of paramount importance that

¹ See FCC, Modification of a Construction Permit to Convert from DTV to DTS Application, File No. 0000034603, Granted 02.21.2018 (Site 1); *see also* FCC, Channel Reassignment Notice, Facility ID 69946, 02.08.2017 (assignment from ch. 9 to ch. 10).

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ETV's signal remain free from interference from W256CW or any other objects that pose a potential for interference.

As set forth in Section 1.8 of the License Agreement, VPR is required to cooperate with ETV's efforts to consolidate communications facilities and/or equipment on a single support structure at Grandpa's Knob, with notice being given at least ten months prior to the proposed consolidation. And as stated in Section 15.2, VPR is at all times obligated to operate its transmission activities in a way that avoids "Objectionable Interference." Because of the reasonable potential for interference with the installation of, and signals from, ETV's new Channel 10 antenna, relocation is a necessary course of action in this instance.

Per the License Agreement, relocation shall be at VPR's sole cost and expense. VPR is also reminded of the obligation to obtain such regulatory and land use approvals in advance of undertaking the relocation as may reasonably be required to avoid any potential non-compliance. In addition to any modification notices or other approvals that may be required from the FCC for the relocation of W256CW, VPR may choose to seek a jurisdictional opinion and/or permit amendment from the District No. 1 Environmental Commission, a Section 248a de minimis modification approval, or such other approvals as VPR determines are suitable for the project. ETV stands ready to supply a letter of authorization to assist with permitting efforts, provided that VPR provide to ETV copies of any applications and subsequent approvals be provided to VPR for its files, consistent with Section 8.2, together with the administrative fee.

To assist ETV in preparing space on the Tower for the upcoming work, and to forestall any issues with respect to the potential for objectional interference, we ask that VPR please identify a suitable new location for the W256CW as soon as possible, but by no later than Monday, June 1, 2019. You may send this information to me and to Mr. Tom Laffan at ETV. Should you need additional time to notify us of the new location, please make the request in writing along with an estimated time for completion of the relocation.

Thank you in advance and we look forward to working with VPR to achieve this relocation.

Sincerely,



William J. Dodge

cc: Jack Efromson and Tom Laffan, Vermont ETV, Inc.

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