

Federal Communications Commission Washington, D.C. 20554  <b>FCC 346</b>	Approved by OMB 3060-0016 (February 2005)  FOR FCC USE ONLY
<b>APPLICATION FOR AUTHORITY TO CONSTRUCT OR          MAKE CHANGES IN A LOW POWER TV, TV TRANSLATOR          OR TV BOOSTER STATION</b>  Read INSTRUCTIONS Before Filling Out Form	FOR COMMISSION USE ONLY FILE NO. - 20090629ACV

**Section I - General Information**

1. Legal Name of the Applicant WNYT-TV, LLC												
Mailing Address 3415 UNIVERSITY AVENUE, WEST												
<table border="1"> <tr> <td>City ST. PAUL</td> <td>State or Country (if foreign address) MN</td> <td>ZIP Code 55114 - 2099</td> </tr> </table>	City ST. PAUL	State or Country (if foreign address) MN	ZIP Code 55114 - 2099									
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<table border="1"> <tr> <td>Telephone Number (include area code) 6516424334</td> <td>E-Mail Address (if available) DJONES@HBI.COM</td> </tr> </table>	Telephone Number (include area code) 6516424334	E-Mail Address (if available) DJONES@HBI.COM										
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<table border="1"> <tr> <td>FCC Registration Number: 0005828736</td> <td>Call Sign WNYT</td> <td>Facility ID Number 73363</td> </tr> </table>	FCC Registration Number: 0005828736	Call Sign WNYT	Facility ID Number 73363									
FCC Registration Number: 0005828736	Call Sign WNYT	Facility ID Number 73363										
2. Contact Representative (if other than Applicant) CHARLES R. NAFTALIN												
Firm or Company Name HOLLAND & KNIGHT LLP												
Mailing Address 2099 PENNSYLVANIA AVE., NW SUITE 100												
<table border="1"> <tr> <td>City WASHINGTON</td> <td>State or Country (if foreign address) DC</td> <td>ZIP Code 20006 - 6801</td> </tr> </table>	City WASHINGTON	State or Country (if foreign address) DC	ZIP Code 20006 - 6801									
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<table border="1"> <tr> <td>Telephone Number (include area code) 2024577040</td> <td>E-Mail Address (if available) CHARLES.NAFTALIN@HKLAW.COM</td> </tr> </table>	Telephone Number (include area code) 2024577040	E-Mail Address (if available) CHARLES.NAFTALIN@HKLAW.COM										
Telephone Number (include area code) 2024577040	E-Mail Address (if available) CHARLES.NAFTALIN@HKLAW.COM											
3. If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial Educational Licensee/Permittee <input checked="" type="radio"/> Other REPLACEMENT DTV TX <input type="radio"/> N/A (Fee Required)												
4. Facility Information a. <input type="radio"/> Low Power TV Station <input type="radio"/> TV Translator <input type="radio"/> TV Booster <input type="radio"/> Digital Low Power TV <input checked="" type="radio"/> Digital TV Translator b. Community of License: City: FORT TROY State: NY												
5. <b>Application Purpose</b> <table border="0"> <tr> <td><input checked="" type="radio"/> New station</td> <td><input type="radio"/> Major Modification of construction permit</td> </tr> <tr> <td><input type="radio"/> Major Change in licensed facility</td> <td><input type="radio"/> Minor Modification of construction permit</td> </tr> <tr> <td><input type="radio"/> Minor Change in licensed facility</td> <td><input type="radio"/> Amendment to pending application</td> </tr> <tr> <td><input type="radio"/> Digital Flash Cut</td> <td><input type="radio"/> Digital Companion Channel</td> </tr> <tr> <td><input type="radio"/> Displacement      [Exhibit 1]</td> <td></td> </tr> <tr> <td>                                 <input type="radio"/> Analog   <input type="radio"/> Digital</td> <td></td> </tr> </table> a. File number of original construction permit or pending application:      -  If an amendment, <b>submit as an Exhibit</b> a listing by Section and Question Number the portions of the pending application that are being revised.      [Exhibit 2]	<input checked="" type="radio"/> New station	<input type="radio"/> Major Modification of construction permit	<input type="radio"/> Major Change in licensed facility	<input type="radio"/> Minor Modification of construction permit	<input type="radio"/> Minor Change in licensed facility	<input type="radio"/> Amendment to pending application	<input type="radio"/> Digital Flash Cut	<input type="radio"/> Digital Companion Channel	<input type="radio"/> Displacement      [Exhibit 1]		<input type="radio"/> Analog <input type="radio"/> Digital	
<input checked="" type="radio"/> New station	<input type="radio"/> Major Modification of construction permit											
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<input type="radio"/> Digital Flash Cut	<input type="radio"/> Digital Companion Channel											
<input type="radio"/> Displacement      [Exhibit 1]												
<input type="radio"/> Analog <input type="radio"/> Digital												

**NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.**

## Section II - Legal

1.	<b>Certification.</b> Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.		<input checked="" type="radio"/> Yes <input type="radio"/> No
2.	<b>Parties to the Application.</b> List the applicant and all parties to the application. If other than natural persons, list officers, directors, stockholders with interests of 1% or more, general and limited partners and/or members.		
	a.	Name and address of the applicant and, if applicable, its officers, directors, stockholders with interests of 1% or greater, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter remaining stockholders and partners.	b. Citizenship. c. Positional Interest: Officer, director, general partner, limited partner, LLC member, etc. d. Percentage of votes. e. Percentage of equity.
	[Enter Parties Information]		
3.	<b>Character Issues.</b> Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with: a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or b. any pending broadcast application in which character issues have been raised.		<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 3]
4.	<b>Adverse Findings.</b> Applicant certifies that, with respect to the applicant and any party to the application, no adverse finding has been made, nor has an adverse final action been taken related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.		<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 4]
5.	<b>Alien Ownership and Control.</b> Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.		<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 5]
6.	<b>Program Service Certification.</b> (For Low Power Television Applicants Only) Applicant certifies that this station will offer a broadcast program service.		<input checked="" type="radio"/> Yes <input type="radio"/> No
7.	<b>Local Public Notice.</b> (For new station and major change Applicants Only) Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.		<input checked="" type="radio"/> Yes <input type="radio"/> No
8.	<b>Rebroadcast Certification.</b> (For Applicants proposing translator rebroadcasts that are not the licensee of the primary station) Applicant certifies that written authority has been obtained from the licensee of the station whose programs are to be retransmitted.		<input checked="" type="radio"/> Yes <input type="radio"/> No
9.	<b>Auction Authorization.</b> If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable. An exhibit is required unless this question is inapplicable.		<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A
10.	<b>Anti-Drug Abuse Act Certification.</b> Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.		<input checked="" type="radio"/> Yes <input type="radio"/> No

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of

any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing <b>GARY R. MACOMBER</b>	Typed or Printed Title of Person Signing <b>ASSISTANT SECRETARY</b>
Signature	Date <b>6/29/2009</b>

<b>SECTION III - ENGINEERING DATA (Digital)</b>												
<b>TECHNICAL SPECIFICATIONS</b> Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.												
<b>TECH BOX</b>												
1.	Channel Number: <b>18</b>											
2.	Translator Input Channel No. : <b>12</b>											
3.	Primary station proposed to be rebroadcast:											
	Facility Identifier	Call Sign	City	State	Channel							
	<b>73363</b>	<b>WNYT</b>	<b>ALBANY</b>	<b>NY</b>	<b>12</b>							
4.	Antenna Location Coordinates: (NAD 27) Latitude: Degrees 42 Minutes 47 Seconds 9 <input checked="" type="radio"/> North <input type="radio"/> South Longitude: Degrees 73 Minutes 37 Seconds 43 <input checked="" type="radio"/> West <input type="radio"/> East											
5.	Antenna Structure Registration Number: 1004249 <input type="checkbox"/> Not Applicable [Exhibit 10] <input type="checkbox"/> Notification filed with FAA											
6.	Antenna Location Site Elevation Above Mean Sea Level: 289.6 meters											
7.	Overall Tower Height Above Ground Level: 224.8 meters											
8.	Height of Radiation Center Above Ground Level: 222.4 meters											
9.	Maximum Effective Radiated Power (ERP): 15 kW											
10.	Transmitter Output Power: 2.4 kW											
11.	a. Transmitting Antenna: Before selecting Directional "Off-the-Shelf", refer to "Search for Antenna Information" under <a href="http://fjallfoss.fcc.gov/prod/cdbspubacc/prod/cdbsp_a.htm">CDBS Public Access</a> (http://fjallfoss.fcc.gov/prod/cdbspubacc/prod/cdbsp_a.htm). Make sure that the Standard Pattern is marked Yes and that the relative field values shown match your values. Enter the Manufacturer (Make) and Model exactly as displayed in the Antenna Search. <input checked="" type="radio"/> Nondirectional <input type="radio"/> Directional "Off-the-shelf" <input type="radio"/> Directional composite  Manufacturer SCA Model SL-8NF  b. Electrical Beam Tilt: 1.75 degrees <input type="checkbox"/> Not Applicable											
	c. Directional Antenna Relative Field Values: <input checked="" type="checkbox"/> N/A (Nondirectional or Directional "Off-the-shelf")  Rotation (Degrees): <input type="checkbox"/> No Rotation											
	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value
	0		10		20		30		40		50	
	60		70		80		90		100		110	
	120		130		140		150		160		170	
	180		190		200		210		220		230	

240	250	260	270	280	290
300	310	320	330	340	350
Additional Azimuths					

[Relative Field Polar Plot](#)

<b>NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.</b>	
12.	<b>Out-of-channel Emission Mask:</b> <input type="radio"/> Simple <input checked="" type="radio"/> Stringent
<b>CERTIFICATION</b>	
13.	<p><b>Interference :</b> The proposed facility complies with all of the following applicable rule sections. 47.C.F.R Sections 74.709, 74.793(e), 74.793(f), 74.793(g), 74.793(h), 74.794(b) and 73.1030. <span style="float:right"><input checked="" type="radio"/> Yes <input type="radio"/> No</span></p> <p align="right">See Explanation in [Exhibit 11]</p>
14.	<p><b>Environmental Protection Act.</b> The proposed facility is excluded from environmental processing under 47. C.F.R. Section 1.1306 (i.e., The facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine RF compliance, an <b>Exhibit is required.</b> <span style="float:right"><input checked="" type="radio"/> Yes <input type="radio"/> No</span></p> <p align="right">See Explanation in [Exhibit 12]</p> <p>By checking "Yes" above, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.</p>
15.	<p><b>Channels 52-59.</b> If the proposed channel is within channels 52-59, the applicant certifies compliance with the following requirements, as applicable:</p> <p><input type="checkbox"/> The applicant is applying for a digital companion channel for which no suitable channel from channel 2-51 is available.</p> <p><input type="checkbox"/> Pursuant to Section 74.786(d), the applicant has notified, within 30 days of filing this application, all commercial wireless licenses of the spectrum comprising the proposed TV channel and the first adjacent channels thereto, for which the proposed digital LPTV or TV translator antenna site lies inside the licensed geographic boundaries of the wireless licensees or within 75 miles and 50 miles, respectively, of the geographic boundaries of co-channel and adjacent-channel wireless licensees.</p>
16.	<p><b>Channels 60-69.</b> If the proposed channel is within channels 60-69, the applicant certifies compliance with the following requirements, as applicable:</p> <p><input type="checkbox"/> Pursuant to Section 74.786(e), the applicant has notified, within 30 days of filing this application , all commercial wireless licenses of the spectrum comprising the proposed TV channel and the first adjacent channels thereto, for which the proposed digital LPTV or TV translator antenna site lies inside the licensed geographic boundaries of the wireless licensees or within 75 miles and 50 miles, respectively, of the geographic boundaries of co-channel and adjacent-channel wireless licensees.</p> <p><input type="checkbox"/> Pursuant to Section 74.786(e), the applicant proposing operation on channel 63, 64, 68 and 69 ("public safety channels") has secured a coordinated spectrum use agreements(s) with 700 MHz public safety regional planning committee(s) and state administrator(s) of the region(s) and state(s) within which the antenna site of the digital LPTV or TV translator station is proposed to locate, and those adjoining regions and states with boundaries within 75 miles of the proposed station location.</p> <p><input type="checkbox"/> Pursuant to Section 74.786(e), the applicant for a channel adjacent to channel 63, 64, 68 or 69 has notified, within 30 days of filing this application, the 700 MHz public safety regional planning committee(s) and state administrator(s) of the region and state containing the proposed digital LPTV or TV translator antenna site and regions and states whose geographic boundaries lie within 50 miles of the proposed LPTV or TV translator antenna site.</p>
<b>PREPARERS CERTIFICATION ON PAGE 3 MUST BE COMPLETED AND SIGNED.</b>	

**SECTION III PREPARER'S CERTIFICATION**

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name JONATHAN N. EDWARDS	Relationship to Applicant (e.g., Consulting Engineer) TECHNICAL CONSULTANT	
Signature	Date 6/29/2009	
Mailing Address DU TREIL, LUNDIN & RACKLEY, INC. 201 FLETCHER AVENUE		
City SARASOTA	State or Country (if foreign address) FL	Zip Code 34237 -
Telephone Number (include area code) 9413296000	E-Mail Address (if available) JON@DLR.COM	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

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## Exhibits

### Exhibit 1

**Description:** PURPOSE STATEMENT

THE PURPOSE OF THIS APPLICATION IS CONSTRUCT AND OPERATE A NEW DIGITAL TV TRANSLATOR TO PROVIDE FILL-IN SERVICE FOR WNYT(TV), ALBANY, NEW YORK, IN AREAS WHICH HAVE EXPERIENCED SOME LOSS OF WNYT'S FORMER ANALOG BROADCAST SERVICE.

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### Attachment 1

### Exhibit 12

**Description:** TECHNICAL EXHIBIT

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### Attachment 12

Description
<u>TECHNICAL EXHIBIT</u>

TECHNICAL EXHIBIT  
FOR A NEW DIGITAL REPLACEMENT TRANSLATOR  
FOR STATION WNYT-DT  
TROY, NEW YORK  
CH 18 15 KW

Technical Narrative

This Technical Exhibit supports an application for a new digital replacement translator for digital television (DTV) station WNYT-DT at Albany, New York. Station WNYT-DT is licensed to operate on digital channel 12 from a location on the Helderberg Mountains, with a non-directional antenna effective radiated power (ERP) of 9.1 kilowatts (kW) and an antenna radiation center height above average terrain (HAAT) of 436 meters.<sup>1</sup> The antenna structure registration number is 1231728. The site coordinates are 42-37-31 N, 74-00-38 W (NAD-27).

As is apparent from the coverage map in Figure 1, coverage to the northern-central portion of the DMA is lost in the conversion from analog to digital. These analog loss areas are depicted by the red triangles that plot near around the desired transmitter site. It is the intention of this translator to serve these viewers that cannot receive service from the primary WNYT-DT transmitter.

Proposed Facilities

This application proposes digital operation on channel 18 with a non-directional ERP of 15 kW and an antenna RCAMSL of 512 meters (see Figure 2) from WNYT's former analog transmitter site. The antenna structure registration number is 1004249. The proposed site coordinates are: 42-47-09 N, 73-37-45 W (NAD-27) and the site is 36 kilometers east-northeast of the licensed DTV site.

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<sup>1</sup> See BLCDT-20030911AAI

Figure 3 is a map showing the licensed WNYT 56 dBu (analog) and 36 dBu (digital) coverage contours as well as the proposed digital translator 51 dBu contour. As can be seen on the map, there is common area where both contours overlap.

#### Allocation Considerations – Post-Transition

A study has been conducted to assure that the proposal will not create prohibited interference with other licensed, authorized or pending analog or digital TV, LPTV/translator and Class A TV stations. Using the procedures outlined in the FCC's OET-69 Bulletin, a standard 1 kilometer grid and 1 kilometer terrain distance increment, and 2000 U.S. Census, the proposal complies with the current FCC policy (i.e., less than 0.5% new interference caused to other pertinent assignments).

The applicant recognizes the proposal is secondary to other authorized full-service analog and DTV operations. The applicant understands that it must correct and/or eliminate prohibited interference that may result from its proposed operation.

#### Canadian Coordination

The proposed transmitter site is located 247 kilometers from the U.S.-Canadian border. Although it is believed the proposal will not impact any Canadian station Canadian coordination is requested.

#### Radiofrequency Electromagnetic Field Exposure

The proposed digital facilities were evaluated in terms of potential radio frequency (RF) energy exposure at ground level to workers and the general public. The radiation center for the antenna is located 222 meters above ground level. The proposed ERP is 15 kW. Based on a conservative downward relative field of 0.5 for a Scala SL-8NF antenna, the calculated power density at a point 2 meters (6.6 feet) above ground level will

not exceed 5% of the FCC's recommended limit of  $0.33 \text{ mW/cm}^2$  for channel 18 for an "uncontrolled" environment.

Access to the transmitting site will be restricted and appropriately marked with warning signs. As this is a multi-user site and agreement will control site access. In the event that workers or other authorized personnel enter restricted areas or climb the tower, appropriate measures will be taken to assure worker safety with respect to radio frequency radiation exposure. Such measures include reducing the average exposure by spreading out the work over a longer period of time, wearing "accepted" RFR protective clothing and/or RFR exposure monitors or scheduling work when the stations are at reduced power or shut down.

It is noted that this statement only addresses the potential for radiofrequency electromagnetic field exposure. All other aspects of the environmental processing analysis will be or already have been provided to the FCC by the tower owner.



Jonathan N. Edwards  
du Treil, Lundin & Rackley, Inc.  
201 Fletcher Avenue  
Sarasota, Florida 34237  
(941) 329-6000

June 29, 2009



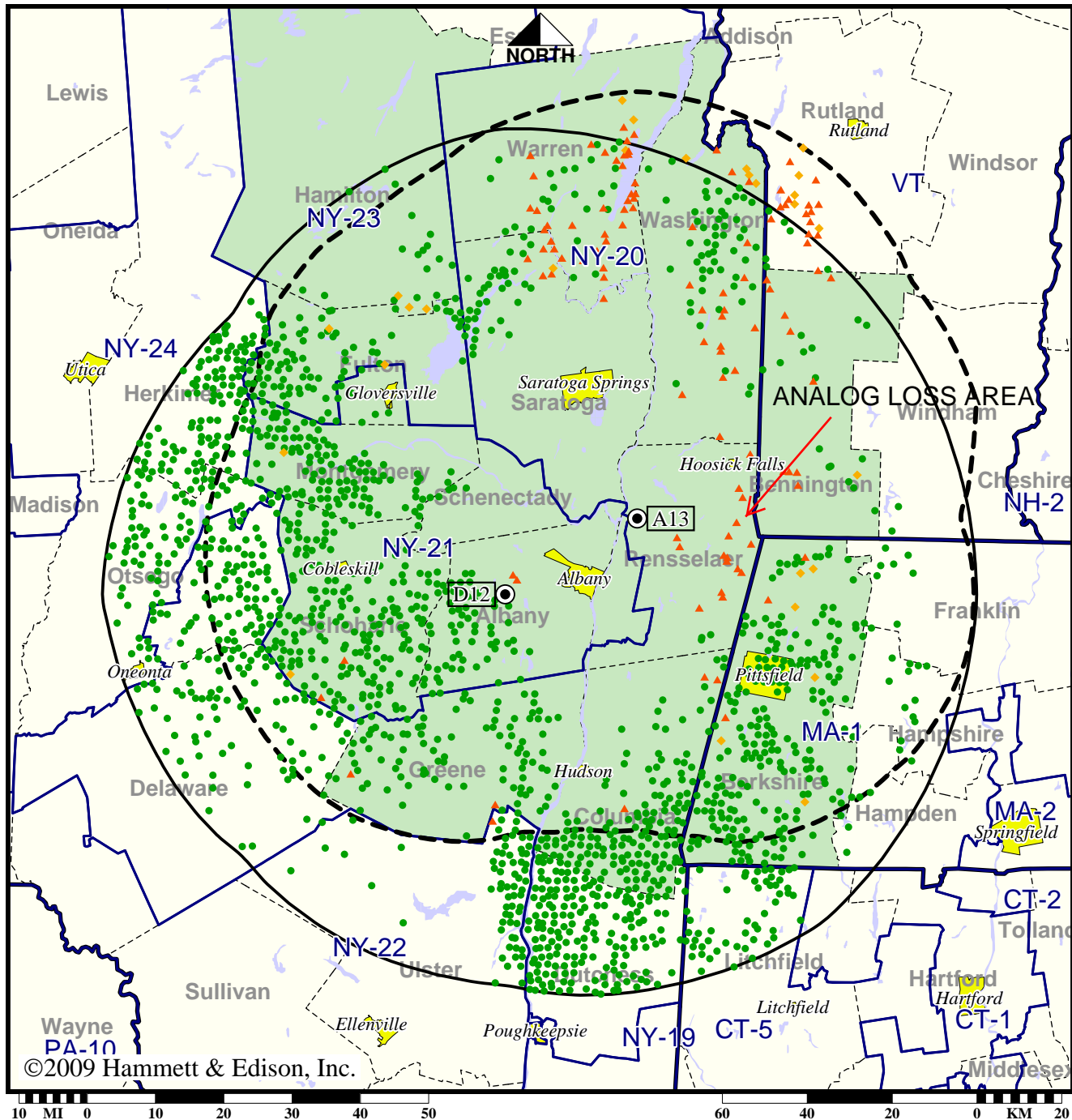
Figure 1

TV Station WNYT • Analog Channel 13, DTV Channel 12 • Albany, NY

Approved Post-Transition Operation: Licensed

Digital License (solid): 9.10 kW ERP at 436 m HAAT, Network: NBC  
vs. Analog (dashed): 178 kW ERP at 357 m HAAT, Network: NBC

Market: Albany-Schenectady-Troy, NY

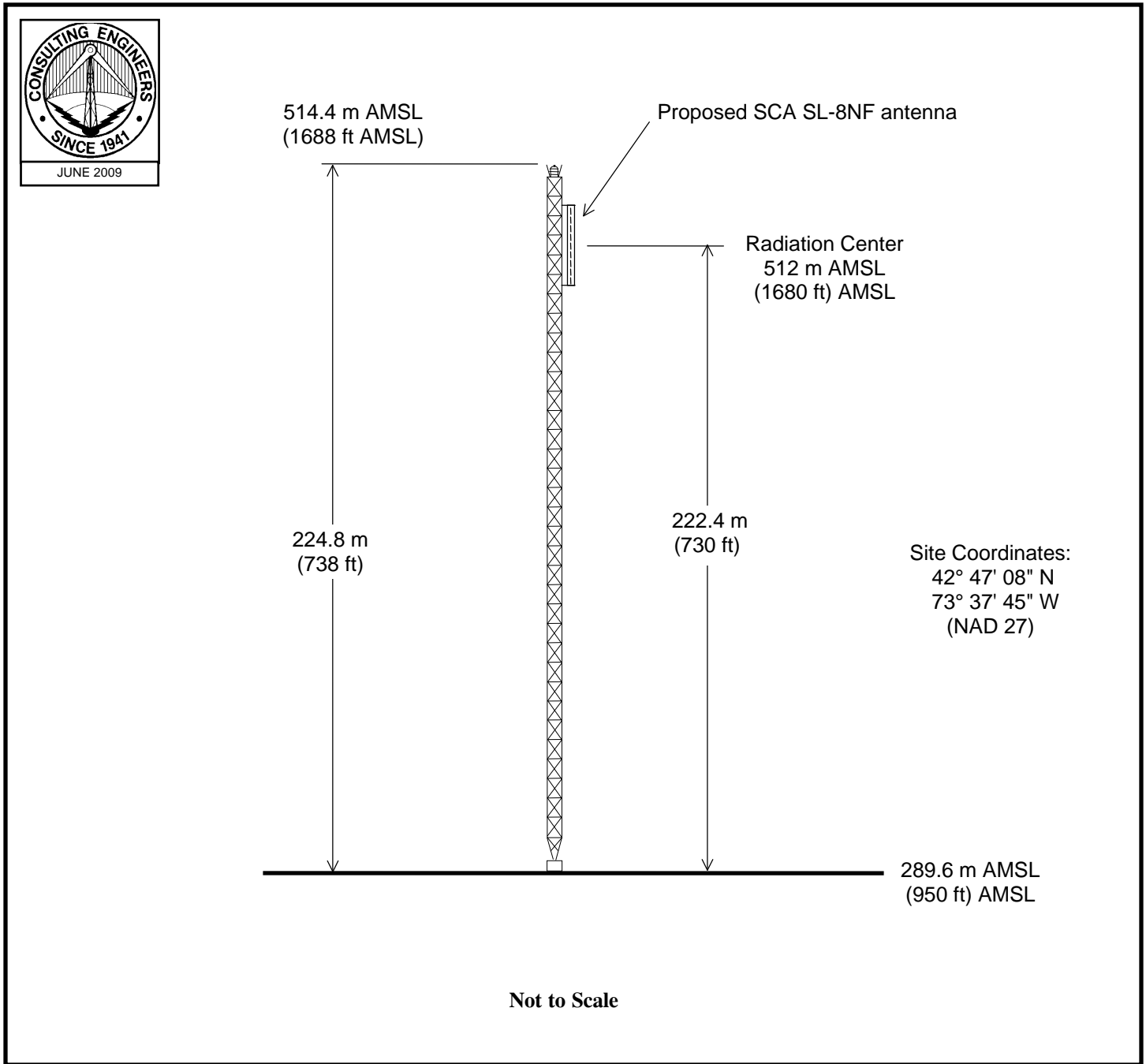


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- Coverage gained after DTV transition
- No symbol = no change in coverage
- ◆ Coverage lost but still served by same network
- ▲ Coverage lost and no other service by same network

Analog service	1,089,451 persons
Digital service	1,363,891
Analog loss	21,589
Digital gain	296,029
Net gain	274,440

Figure 2

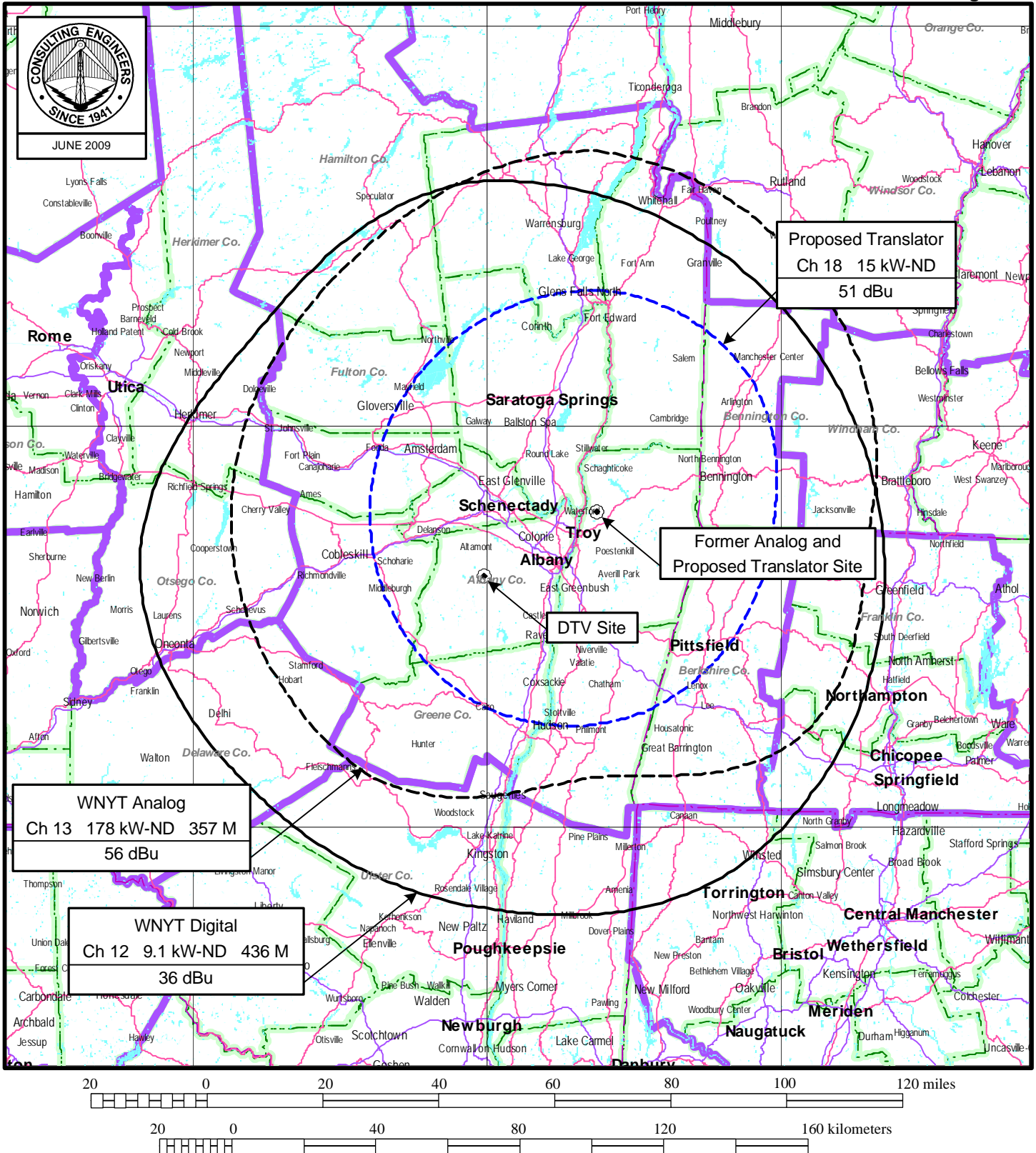


## ANTENNA AND SUPPORTING STRUCTURE

STATION WNYT  
TROY, NEW YORK  
CH 18 15 KW

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

**Figure 3**



## **PREDICTED COVERAGE CONTOURS**

**STATION WNYT**  
**TROY, NEW YORK**  
**CH 18 15 KW**

du Treil, Lundin & Rackley, Inc Sarasota, Florida

# **Federal Communications Commission**

**FCC MB - CDBS Electronic Filing**  
**Account number: 134655**

**Description: 346 DT TX CHANNEL 18, FORT TROY, 6/26/2009**  
**Application Reference Number: 20090629ACV**  
**Successfully filed at Jun 29 2009 5:42PM**

**Based on the information supplied, no fee is required.**

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