



# Federal Communications Commission

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**Bela TV, LLC**  
...and Thank You for Your Comments

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June 30, 2006

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### VIA ECFS

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW – TW-A325  
Washington, D.C. 20554

RE: MB Docket No. 03-15 - Request for Waiver  
Station KBEH(TV), Oxnard, California – Facility Id. 56384  
Bela TV, LLC., Permittee – FRN: 0010-7540-67

Dear Ms. Dortch:

Bela TV, LLC (“Bela”), by and through its attorneys, and pursuant to the Public Notice, dated June 14, 2006,<sup>1</sup> hereby requests a Waiver of the July 1, 2006 Replication/ Maximization Interference Deadline (the “Deadline”) established in the DTV Second Periodic Review.<sup>2</sup> Bela is the licensee of Station KBEH(TV) and the permittee of Station KBEH-DT, Oxnard, California (the “Station”).

Bela has been unable to construct the authorized digital television (DTV) facilities for the Station due to equipment delays. Attached hereto as Exhibit A is a letter from Superior Broadcast Products, Inc., indicating that the Station’s transmitter will not be delivered until at least the first week in August 2006.

<sup>1</sup> *DTV Channel Election Issues – Compliance with the July 1, 2006 Replication/ Maximization Interference Protection Deadline; Stations Seeking Extension of the Deadline*, Public Notice, DA 06-1255 (rel. June 14, 2006).

<sup>2</sup> *Second Periodic Review of the Commission’s Rules and Policies Affecting the Conversion To Digital Television*, Report and Order, 19 FCC Rcd 18279, ¶ 78 (2004)

Marlene H. Dortch, Secretary

June 30, 2006

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The Commission has acknowledged that a delay in the delivery of DTV equipment is an example of the type of delays that are beyond the control of the licensee.<sup>3</sup> In the instant matter, the equipment can not be delivered until August 2006 at the earliest due to a delay caused by the supplier of the tube and cavity for the Station's digital transmitter. Bela has been assured by the manufacturer that it will take all steps to expedite the installation as soon as possible.

In light of this delay, a waiver of the Deadline is appropriate. Bela will take all necessary steps to expedite the construction of Station KBEH-DT upon the delivery of the digital transmission equipment.

Should there be any questions regarding this submission, please contact undersigned counsel.

Sincerely,



Francisco R. Montero  
Lee G. Petro

Counsel for Bela TV, LLC

cc: Shaun Maher, Video Division  
Media Bureau – By email

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<sup>3</sup> *Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, Memorandum Opinion and Order, 16 FCC 20,594, ¶ 44 (2001).

**EXHIBIT A**

# *Superior Broadcast Products* Inc.

June 20, 2006

KBEH-TV  
Robert Behar  
Bela Broadcasting  
7500 N W 72 Ave  
Miami, FL 33166

Dear Mr. Behar

Once again we want to thank you for the opportunity to furnish you with a Digital Television Transmitter and Antenna for channel 24 in Oxnard California. The antenna has been shipped. As you know we were anticipating a delivery and installation of the transmitter before July 1. However due to the large number of transmitters that have been ordered we are experiencing a delay from our supplier E2v for the tube and cavity for your transmitter. It now appears that the delivery will be the last week of July or the first week in August. I thank you for your patience in this matter as I am doing every thing possible to have your transmitter installed as soon as possible.

Best Regards

James Joynt  
Superior Broadcast Products, Inc.