

# *APPLICATION FOR CONSTRUCTION PERMIT*

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WASV-LP - ASHEVILLE, NORTH CAROLINA  
FACILITY ID: 47722

DIGITAL NETWORKS—SOUTHEAST, LLC

JUNE 2018

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**6.7.2018**

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# **APPLICATION FOR CONSTRUCTION PERMIT - DISPLACEMENT**

The following engineering statement and attached exhibits have been prepared for **Digital Networks-Southeast, LLC** ("Southeast"), licensee of low power digital television station WASV-LP at Asheville, North Carolina, and are in support of their application for construction permit.<sup>1</sup> This application is being filed as a displacement application due to realignment of the UHF television band resulting from the Commission's *Incentive Auction*. WASV-LP qualifies to file this application due to its licensed digital operation on channel 50.

WASV-LP is currently licensed to operate on channel 50 as a digital low-power facility.<sup>2</sup> The licensed facility operates with a maximum effective radiated power of 15 kW at a center of radiation of 1088 meters above mean sea level utilizing a directional antenna. The proposed facility would operate on channel 36 with a maximum effective radiated power of 15 kW also at a center of radiation of 1088 meters above mean sea level utilizing a directional antenna. The proposed antenna is a Propagation Systems ("PSI") model PSILP12OI. The proposed antenna utilizes an "omnioid" pattern, and is oriented with its major lobe at 80 degrees true.

Attached to this application as an exhibit is the output from a *TVStudy* run for the proposed facility. This study demonstrates an IX check failure to BLCDT-20090901ACV. This file number is the license for WYFF at Greenville, South Carolina.<sup>3</sup> WYFF has been assigned channel 30 in the post-repack environment, and currently has a construction permit for operation on that channel.<sup>4</sup> Southeast therefore respectfully requests a waiver of Section 73.3517 of the Commission's Rules

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<sup>1</sup> The Facility ID for WASV-LP at Asheville, North Carolina is 47722.

<sup>2</sup> See FCC File No. BLDTL-20130325AKQ.

<sup>3</sup> The Facility ID for WYFF at Greenville, South Carolina is 53905.

<sup>4</sup> See LMS File No. 0000034525.

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with regard to the submission of contingent applications. Southeast accepts any special conditions or restriction on its construction permit with regard to this situation. WYFF is currently assigned to Phase 5.<sup>5</sup>

In addition, Southeast respectfully requests a waiver of the displacement freeze to submit this application. The application was created during the recent displacement window; however, it was not properly filed. The technical exhibit has been updated to ensure that the most current data is reflected in the *TVStudy* output, and to discuss the requested waiver of the freeze. Southeast has not yet received a letter to discontinue operation on channel 50; however, receipt of a letter is expected soon. It should also be noted that the *TVStudy* report attached to this application is not indicative of any mutual exclusivities with applications filed during the displacement window.<sup>6</sup> Finally, the request of a waiver of the displacement freeze would serve the public interest, as it would result in a grant of a construction permit for an operational low power television station that serves the Asheville vicinity with programming of interest to the community.

The proposed facility would not constitute a significant environmental impact, and is exempt from environmental processing. The proposed antenna would be mounted to an existing tower that is registered with the Commission. The addition of the antenna to this tower would not increase the existing environmental impact already present from the tower.

Using the equations in Supplement A of *OET Bulletin 65*, the calculated worst-case power density at ground level assuming a downward radiation relative field of 0.1 is  $34.8 \mu\text{W}/\text{cm}^2$ . This

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<sup>5</sup> Phase assignment based on 5/30/2018 transition files.

<sup>6</sup> Study based on LMS data as of June 7, 2018.

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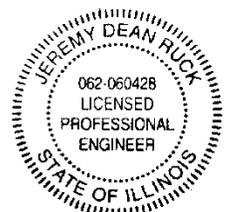
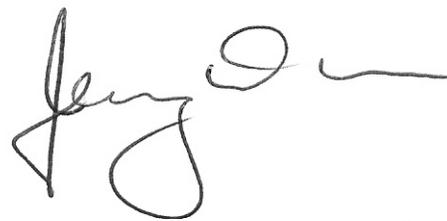
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value is less than the upper limit of the uncontrolled environment condition upper limit. Southeast certifies it will coordinate with all other users of the site to ensure that workers and other personnel are not exposed to levels of radiofrequency radiation in excess of the applicable safety standards. Coordination activities will include, but are not necessarily limited to, a reduction in transmitter power or cessation of operation.

The proposed facility complies with the provisions of Section 74.709 of the Commission's Rules. No land mobile protection issues have been identified based on the tables in that section of the rules, or on the output of *TVStudy*. The proposed facility also complies with Sections 74.793(e)-(g) and 74.793(h) of the Commission's Rules, with the exception of the above discussed issue relative to the pre-repack license for WYFF on channel 36.

The preceding statement and attached exhibits have been prepared by me, or under my direction, and are true and accurate to the best of my belief and knowledge.



Above signature is digitized copy of actual signature  
License Expires November 30, 2019

Jeremy D. Ruck, PE  
June 7, 2018

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