

*AMENDMENT TO
APPLICATION FOR CONSTRUCTION PERMIT*

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

DIGITAL NETWORKS—SOUTHEAST, LLC

MAY 2019

AMENDMENT TO APPLICATION FOR CONSTRUCTION PERMIT

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 amendment to application for construction permit.¹ This application seeks to further amend the pending application for displacement filed by Southeast, and assigned LMS File No. 0000055083. The original application was filed requesting displacement, and is currently pending before the Commission. Southeast was qualified to file that original application at that time due to its operation on channel 50.

WASV-LP is currently authorized to operate on channel 50 as a digital low-power facility. 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, as amended, 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 antenna proposed under this amendment is a Propagation Systems ("PSI") model PSILP12AW. This is a directional antenna, and is to be oriented with its major lobe at 80 degrees true.²

Exhibit E-1 is a study output from *TVStudy* for the proposed facility. This study was run using a cell size of 1.0 kilometer, and a profile increment of 0.1 kilometer. This smaller profile increment was utilized due to the irregular nature of the terrain in the region. As this study

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

² The change in the antenna model and associated directional pattern is the only change proposed under this further amendment to the pending application.

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demonstrates, an interference check failure would exist between the proposed facility and the license for WYFF at Greenville, South Carolina under FCC File No. BLCDDT-20090901ACV.³ WYFF, however, has been assigned channel 30 in the post-repack environment, and currently has a construction permit for operation on that channel, and has been assigned to Phase 5.⁴

Southeast respectfully request a waiver of Section 73.3517 of the Commission's Rules with regard to the submission of contingent applications. Southeast accepts any special conditions or restrictions place on its construction permit with regard to the situation with WYFF, especially any restrictions on the dates on which Southeast may commence operation on channel 36. It should be noted that the licensee of WYFF filed a petition to deny a grant of the WASV-LP displacement application due indicating potential interference to the reception of WYFF on channel 36. This petition to deny supposed that Southeast would commence operation on channel 36 prior to the transition by WYFF to channel 30. That, of course, was never the case, and was indeed the rationale for Southeast expressly indicating in its engineering statement the acceptance of "*any special conditions or restriction on its construction permit...*".⁵

The licensee of WYFF further notes their only apparent objection to the grant of a construction permit for WASV-LP on channel 36 involves operation ahead of the Phase 5 transition date on channel 36, and that "no other position" regarding the application is taken. Southeast has been in contact with the licensee of WYFF, and it has been confirmed that they are on track to make the transition to channel 30 within the assigned phase date of September 6, 2019. Furthermore, Southeast is in receipt of correspondence from T-Mobile indicating their intent to

³ The Facility ID for WYFF at Greenville, South Carolina is 53905.

⁴ See LMS File No. 0000034525.

⁵ See engineering statement of WASV-LP application.

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commence operation on 600 MHz spectrum within PEA #115, which includes the Asheville region. As indicated in the letter, which is attached to this technical exhibit, operations within the 600 MHz spectrum are to commence by September 6, 2019.

Southeast certifies that it will not commence operation on channel 36 until WYFF has transitioned to channel 30 at the conclusion of phase 5. As a result of this certification, and the receipt of the T-Mobile letter, it is respectfully requested that the Commission grant a construction permit for WASV-LP using the technical parameters specified in this further amendment with any necessary conditions or restrictions to preclude operation ahead of the conclusion of phase 5. As part of this request, Southeast also respectfully suggests that the petition to deny submitted by the licensee of WYFF be dismissed, if necessary.

No change in the physical location of the WASV-LP transmitter from that authorized under the current license is proposed under this application.⁶ As a result, it is respectfully submitted that this application would comply with the Commission's procedures and rules concerning displacement of low power television authorizations.

The proposed facility would not constitute a significant environmental impact, and is exempt from environmental processing. The proposed facility would continue to utilize the existing structure authorized for use by WASV-LP. Implementation of the technical parameters specified under this amendment to the pending application would require only an antenna change. As a result, no increase the existing environmental impact already present from the tower would result.

⁶ See FCC File No. BLDTL-20130325AKQ.

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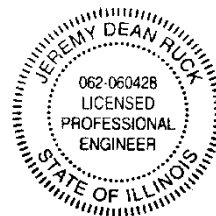
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Using the equations in Supplement A of *OET Bulletin 65*, the calculated worst-case power density at ground level assuming a downward radiation relative field of 0.1 is $34.8 \mu\text{W}/\text{cm}^2$. This value is less than the upper limit of the 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
May 30, 2019

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5.30.2019

Exhibit E-1 - TVStudy Interference Study

Study created: 2019.05.30 10:02:12

Study build station data: LMS TV 2019-05-30

Proposal: WASV-LP D36 LD APP ASHEVILLE, NC
File number: BLANK0000055083
Facility ID: 47722
Station data: User record
Record ID: 58
Country: U.S.

Build options:

Protect pre-transition records not on baseline channel

Stations potentially affected by proposal:

IX	Call	Chan	Svc	Status	City, State	File Number	Distance
No	WCTD-LP	N22-	TX	LIC	DUCKTOWN, TN	BLTTTL20070622ADD	172.7 km
No	WJZC-LP	N22+	TX	LIC	SEVIERVILLE, TN	BLTTTL19901017JE	85.6
No	WUVG-DT	D35	LD	CP	ATHENS, GA	BLANK0000054445	189.9
No	NEW	D35	LD	APP	ATHENS, GA	BNPDTL20090825AJB	203.2
Yes	W08BP-D	D35	LD	CP	BEAVER DAM, NC	BLANK0000053643	17.5
No	W35CO-D	D35-	LD	LIC	BURNSVILLE, NC	BLDTT20090615AAS	51.5
No	WFMY-TV	D35	DT	CP	GREENSBORO, NC	BLANK0000028086	257.6
No	WGHP	D35	DT	LIC	HIGH POINT, NC	BLCDT20100315ABW	256.9
No	W35CK-D	D35	LD	LIC	HIGHLANDS, NC	BLDTT20080922ABE	78.6
Yes	WMYA-TV	D35	DT	CP	ANDERSON, SC	BLANK0000034497	111.0
No	WTCI	D35	DT	CP	CHATTANOOGA, TN	BLANK0000034751	240.0
No	WCYB-TV	D35	LD	CP	BRISTOL, VA	BLANK0000054449	108.2
No	WJDW-LD	D35	LD	LIC	TAZEWELL, VA	BLDTL20110525ADU	205.3
No	WABM	D36	DT	LIC	BIRMINGHAM, AL	BLCDT20060406AAJ	444.9
No	NEW	D36	LD	APP	ATHENS, GA	BNPDTL20090825AER	202.0
No	WBUD-LD	D36	LD	LIC	Atlanta, GA	BLANK0000004267	212.3
No	WUPA	D36	DT	CP	ATLANTA, GA	BLANK0000033802	249.8
Yes	WFXG	D36	DT	CP	AUGUSTA, GA	BLANK0000034163	253.4
No	W36EO-D	D36	LD	CP	Columbus, GA	BLANK0000009173	394.9
No	W36EZ-D	D36-	LD	LIC	HINESVILLE-RICHMOND, GA	BLANK0000062879	425.7
No	NEW	D36	LD	APP	MACON, GA	BNPDTL20090825BSY	325.8
No	NEW	D36	LD	APP	MACON, GA	BNPDTL20090825AVN	325.7
No	W36ED-D	D36	LD	CP	MACON, GA	BNPDTL20090902ACJ	333.9
No	NEW	D36	LD	APP	WARNER ROBBINS, GA	BNPDTL20090825AEF	326.0
No	WKAS	D36	DT	CP	ASHLAND, KY	BLANK0000034657	319.3
No	WKYT-TV	D36	DT	LIC	LEXINGTON, KY	BLCDT20100902ACB	312.8
No	WAVE	D36	DT	CP	LOUISVILLE, KY	BLANK0000034345	417.0
No	W30CR-D	D36	LD	CP	BISCOE, NC	BLANK0000054531	259.5
No	W24CP-D	D36	LD	CP	DURHAM, NC	BLANK0000052041	318.5
No	WAXN-TV	D36	LD	LIC	KANNAPOLIS, NC	BLCDT20100630BZK	184.8
Yes	WUNE-TV	D36	DT	CP	LINVILLE, NC	BLANK0000034440	91.6
No	WUNP-TV	D36	DT	LIC	ROANOKE RAPIDS, NC	BMLEDT20121116AGM	442.2
No	WBFT-CD	D36	DC	CP	SANFORD, NC	BLANK0000034838	316.2
No	WCIV	D36	DT	LIC	CHARLESTON, SC	BLCDT20090622ABW	401.9
Yes	WYFF	D36	DT	LIC	GREENVILLE, SC	BLCDT20090901ACV	53.5
No	WFXB	D36	DT	CP	MYRTLE BEACH, SC	BLANK0000027052	354.3
No	WCNT-LP	N36-	TX	LIC	CHATTANOOGA, TN	BLTTTL20050908AAJ	186.0
No	WNPX-TV	D36	DT	LIC	FRANKLIN, TN	BLANK0000068401	378.5
No	WTVF	D36	DT	CP	NASHVILLE, TN	BLANK0000034672	377.8
Yes	WVLR	D36	DT	CP	TAZEWELL, TN	BLANK0000025318	113.6
No	WFXR	D36	DT	CP	ROANOKE, VA	BLANK0000027724	287.6
No	WPXR-TV	D36	DT	LIC	ROANOKE, VA	BLCDT20020510AAB	287.2
No	W43BO	N43-	TX	LIC	MARION, ETC., VA	BLTTTL19970425JD	177.7

No non-directional AM stations found within 0.8 km

No directional AM stations found within 3.2 km

Record parameters as studied:

Channel: D36
Mask: Full Service
Latitude: 35 35 23.30 N (NAD83)

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Exhibit E-1 - TVStudy Interference Study

Longitude: 82 40 25.40 W
Height AMSL: 1088.0 m
HAAT: 0.0 m
Peak ERP: 15.0 kW
Antenna: PSILP12AW 80.0 deg
Elev Pattn: Generic
Elec Tilt: 1.00

50.9 dBu contour:

Azimuth	ERP	HAAT	Distance
0.0 deg	14.3 kW	459.9 m	63.0 km
45.0	12.9	417.5	60.6
90.0	14.6	432.8	62.1
135.0	14.2	433.8	62.0
180.0	10.7	277.5	52.5
225.0	3.08	238.3	44.0
270.0	0.960	111.1	30.1
315.0	6.19	342.9	53.1

Database HAAT does not agree with computed HAAT
Database HAAT: 0 m Computed HAAT: 339 m

Distance to Canadian border: 676.5 km

Distance to Mexican border: 1726.9 km

Conditions at FCC monitoring station: Powder Springs GA
Bearing: 224.9 degrees Distance: 268.2 km

Proposal is not within the West Virginia quiet zone area

Conditions at Table Mountain receiving zone:
Bearing: 291.1 degrees Distance: 2036.0 km

Study cell size: 1.00 km
Profile point spacing: 0.10 km

Maximum new IX to full-service and Class A: 0.50%
Maximum new IX to LPTV: 2.00%

**IX check failure to BLCDT20090901ACV LIC scenario 1, 4.23% interference caused

---- Below is IX received by proposal BLANK0000055083 ----

Proposal receives 2.59% interference from scenario 1

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VIA CERTIFIED MAIL & EMAIL

2/26/2019

DIGITAL NETWORKS-SOUTHEAST, LLC
100 W Martin Luther King Blvd Ste 402
Chattanooga, TN 37402-2546

RE: Notification of Intent to Begin 600MHz Operations

Dear WASV-LP Licensee/ Facility ID: 47722:

T-Mobile USA, Inc. ("T-Mobile") is notifying you that T-Mobile is preparing to commence operations on its 600MHz spectrum in the Partial Economic Area ("PEA") # 115 by 9/6/2019 and your station is likely to cause harmful interference to T-Mobile's operations.

To determine if your station(s) is likely to cause interference, an interference analysis has been performed, as specified by the Federal Communications Commissions' ("FCC") Inter-service Interference procedures⁷, using publicly available information in the FCC's Licensing and Management System ("LMS") for your facility. This analysis predicts field strength at T-Mobile's base station and user equipment locations in the PEA # 115 market from your facility. The FCC has set the thresholds at which the predicted field strength from low power TV and translator stations creates a sufficient interference risk to wireless facilities. T-Mobile has determined that your facility exceeds those thresholds and is an interference risk to its wireless operations.

T-Mobile will commence its operations in the PEA # 115 market on 9/6/2019. This letter provides the 120 days' advance notification required by FCC regulations, 47 CFR §73.3700(g)(4). The FCC regulations also require you to cease operations or eliminate the potential for harmful interference to T-Mobile's wireless facilities in the PEA # 115 market.

The FCC will work with you to attempt find a new television channel outside of the new 600 MHz mobile band that will not interfere with T-Mobile's network. You should review the FCC's Tools Available to LPTV/Translator Station Public Notice (enclosed) released on June 14, 2017 and contact Hossein Hashemzadeh, Melvin Collins, or Barbara Kreisman at the FCC for more information about the options available in your area.⁸

Please email SpectrumClearing@T-Mobile.com once you have determined when you will eliminate the interference. If you would like additional information regarding our findings or if it might be possible to coordinate our operations, please submit a request to Dan Wilson, Sr. Manager, Spectrum Engineering, at SpectrumClearing@T-Mobile.com.

Sincerely,

/s/ Mark Bishop

Sr. Manager, Spectrum Engineering, T-Mobile USA, Inc.

⁷ See 30 FCC Rcd 12049, 12071, para. 49 (2015)

⁸ See <https://www.fcc.gov/document/iatf-mb-set-forth-tools-available-lptvtranslator-stations>