

EXHIBIT A

REQUEST FOR WAIVER OF COMMISSION'S CONTINGENT APPLICATION RULE

The engineering data contained herein have been prepared on behalf of NEW YORK SPECTRUM HOLDING COMPANY, LLC, licensee of digital Low Power Television Station WXNY-LD, Channel 32 in New York, New York, in support of its displacement Application for Construction Permit to specify operation on Channel 23. This station is being displaced as a result of the spectrum auction and the repack allotment of Channel 32 to WLIW-DT in Garden City, New York. That station has a repack authorization on Channel 32 from a site located just 7 kilometers from that of WXNY-LD. Clearly, significant interference to and from each of these stations would occur if both operated on the same channel, meaning that WXNY-LD is in a displacement situation. No change in the licensed WXNY-LD site location or antenna height is proposed herein.

Included as Exhibit B is a summary report from a TVStudy interference analysis for the proposed facility. Our study employed both a cell size of 0.5 kilometer and an increment spacing of 0.1 kilometer. Further the applicant proposes use of a full-service mask filter. The results indicate that the proposed WXNY-LD facility meets the Commission's interference requirements to all full-power and low-power co-channel and adjacent-channel television facilities, except to the pre-repack facility of WDVb-CD, Channel 23 in Edison, New Jersey. WDVb-CD has been allotted repack Channel 22 in Edison and the instant proposal protects that new facility. Since operation of WXNY-LD on proposed Channel 23 is contingent upon the move of WDVb-CD to its post-repack facility on Channel 22, the instant applicant has

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requested a waiver of the Commission's "contingent application Rule", which the FCC has said it will entertain during this LPTV displacement filing window.

I declare under penalty of perjury that the foregoing statements and the attached exhibits, which were prepared by me or under my immediate supervision, are true and correct to the best of my knowledge and belief.

A handwritten signature in blue ink, appearing to read "K. T. Fisher", with a stylized, elongated final letter.

KEVIN T. FISHER

May 7, 2018

TVSTUDY INTERFERENCE ANALYSIS RESULTS
 PROPOSED WXNY-LD
 CHANNEL 23 – NEW YORK, NEW YORK

Study created: 2018.05.07 07:31:32

Study build station data: LMS TV 2018-04-07

Proposal: WXNY-LD D23 LD LIC NEW YORK, NY
 File number: BLDTL20090908ACO
 Facility ID: 29231
 Station data: User record
 Record ID: 213
 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	W20CM	N20-	TX	LIC	PORT JERVIS, NY	BLTTL20071129AIS	92.1 km
No	WUTH-CD	D22	DC	CP	HARTFORD, CT	BLANK0000034459	162.7
No	WGBY-TV	D22	DT	LIC	SPRINGFIELD, MA	BLEDT20090612ACH	198.0
No	WNJS	D22	DT	LIC	CAMDEN, NJ	BLANK0000040675	136.6
Yes	WDVB-CD	D22	DC	CP	EDISON, NJ	BLANK0000034859	3.6
No	WPHY-CD	D22	DC	CP	TRENTON, NJ	BLANK0000034674	134.6
No	WCBS-TV	D22	LD	LIC	NEW YORK, NY	BLCDT20120905AAO	88.1
No	WEPT-CD	D22	DC	LIC	NEWBURGH, NY	BLANK0000001567	149.3
Yes	W22EW-D	D22+	LD	LIC	PORT JERVIS, NY	BLANK0000018995	62.0
Yes	W22EW-D	D22+	LD	APP	PORT JERVIS, NY	BLANK0000033500	26.6
No	WCWN	D22	DT	CP	SCHENECTADY, NY	BLANK0000033782	208.8
No	WOLF-TV	D22	DT	CP	HAZLETON, PA	BLANK0000027934	168.8
No	WNEP-TV	D22	LD	LIC	SCRANTON, PA	BLCDT20091216AAH	158.2
No	WDDN-LD	D23	LD	LIC	WASHINGTON, DC	BLDTL20120810AAG	329.0
No	WDVM-TV	D23	DT	CP	HAGERSTOWN, MD	BLANK0000034764	362.0
No	W23ED-D	D23	LD	CP	SALISBURY, MD	BNPDTL20100204AAT	296.5
No	W23CX	N23+	TX	LIC	SALISBURY, MD	BLTTL20070730AKY	303.0
No	WMJF-CD	D23	DC	CP	TOWSON, MD	BLANK0000029914	271.1
No	WPXG-TV	D23	DT	CP	CONCORD, NH	BLANK0000027021	347.0
No	WLED-TV	D23	DT	CP	LITTLETON, NH	BLANK0000034358	439.6
No	W48DP-D	D23	LD	APP	ATLANTIC CITY, NJ	BLANK0000045666	161.1
Yes	WNJS	D23	DT	CP	CAMDEN, NJ	BLANK0000034585	136.6
Yes	WDVB-CD	D23	DC	LIC	EDISON, NJ	BLANK0000034577	3.6

No	WPXJ-TV	D23	DT LIC	BATAVIA, NY	BLCDT20090612AHY	413.1
No	WBPN-LD	D23	LD CP	BINGHAMTON, NY	BMPDTL20130212ABG	224.9
No	WETM-TV	D23	DT CP	ELMIRA, NY	BLANK0000029984	286.9
No	WNPI-DT	D23	DT LIC	NORWOOD, NY	BLEDT20050715ABZ	422.8
Yes	WFTY-DT	D23	DT LIC	SMITHTOWN, NY	BLCDT20120427ABO	84.8
No	WHSU-CD	D23	DC CP	SYRACUSE, NY	BLANK0000034940	315.9
No	WNGN-LD	D23	LD LIC	TROY, NY	BLANK0000035004	255.0
No	WTOO-CD	D23	DC LIC	BOLIVAR, PA	BLANK0000001414	393.5
Yes	WXBU	D23	DT LIC	LANCASTER, PA	BLCDT20040922AAC	219.7
No	WDWA-LD	D23	LD LIC	DALE CITY, VA	BLDTL20140528ACM	362.1
No	WDPB	D24	DT CP	SEAFORD, DE	BLANK0000026250	272.9
No	WDPB	D24	DT APP	SEAFORD, DE	BLANK0000034446	272.8
No	WLNE-TV	D24	DT CP	NEW BEDFORD, MA	BLANK0000034491	254.2
No	WTEN	D24	DT CP	ALBANY, NY	BLANK0000034757	208.8
No	WNYE-TV	D24	DT APP	NEW YORK, NY	BLANK0000035705	3.7
No	WNYE-TV	D24	DT LIC	NEW YORK, NY	BLEDT20071228ABM	3.7
No	W25FA-D	N24	TX LIC	PORT JERVIS, NY	BLTTL20121024AAA	92.1
No	WRGB	D24	LD LIC	SCHENECTADY, NY	BLCDT20110523AEL	135.0
No	W24DB-D	D24z	DC LIC	CLARKS SUMMIT, PA	BLANK0000004543	168.0
No	WPHA-CD	D24	DC LIC	PHILADELPHIA, PA	BLDTA20130920ADK	134.6
No	WPHA-CD	D24	DC CP	PHILADELPHIA, PA	BLANK0000036105	134.6
No	W24CS-D	D24	LD LIC	READING, PA	BLANK0000001522	170.8
No	W26CE	N26-	TX LIC	NEW YORK, NY	BLTTL20080306ABU	99.5
No	W26DB-D	N26-	TX LIC	PORT JERVIS, NY	BLTTL20070223AHI	92.1

No non-directional AM stations found within 0.8 km

No directional AM stations found within 3.2 km

Record parameters as studied:

Channel: D23

Mask: Full Service

Latitude: 40 44 50.30 N (NAD83)

Longitude: 73 56 36.40 W

Height AMSL: 213.0 m

HAAT: 0.0 m

Peak ERP: 15.0 kW

Antenna: WXNY-LD23 0.0 deg

Elev Pattn: Generic

49.7 dBu contour:

Azimuth	ERP	HAAT	Distance
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0.0 deg	15.0 kW	195.4 m	51.1 km
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45.0	0.037	207.7	21.0
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90.0	0.006	198.6	12.8
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135.0	3.90	197.9	44.3
180.0	15.0	200.9	51.4
225.0	0.338	211.5	32.4
270.0	15.0	204.3	51.6
315.0	15.0	197.9	51.2

Database HAAT does not agree with computed HAAT

Database HAAT: 0 m Computed HAAT: 202 m

Distance to Canadian border: 397.4 km

Distance to Mexican border: 2677.8 km

Conditions at FCC monitoring station: Laurel MD

Bearing: 235.3 degrees Distance: 301.7 km

Proposal is not within the West Virginia quiet zone area

Conditions at Table Mountain receiving zone:

Bearing: 278.9 degrees Distance: 2632.6 km

Study cell size: 0.50 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 BLANK0000034577 LIC scenario 1, 75.64% interference caused

**IX check failure to BLANK0000034577 LIC scenario 2, 75.92% interference caused

---- Below is IX received by proposal BLDTL20090908ACO ----

**MX with scenario 1, 30.01% interference received

**MX with BLANK0000045666 APP scenario 2, 28.48% interference received

**MX with scenario 3, 30.00% interference received

**MX with BLANK0000045666 APP scenario 4, 28.47% interference received