

ENGINEERING STATEMENT

This minor modification application is submitted to modify FCC File No. 0000034531 (the “CP”), for W27EB-D, Channel 27, Sugar Grove, Illinois, Facility ID 71111 (the “Station”), licensed to the Local Media TV Chicago, LLC (the “Applicant”).

Waiver Request of the 30-mile Rule

For reasons listed below, the Applicant respectfully requests a waiver of 47 C.F.R. § 74.787 to have this application processed and granted expeditiously as a minor change.

The CP is authorized at a rooftop site managed by American Tower (“CP Site”). The Applicant has been working diligently with American Tower and the CP Site’s exclusive tower company (Installation Services, Inc.) since October 2018 to construct the CP. However, despite Licensee’s diligent efforts, it cannot move forward with construction without the approval and assistance of Installation Services. Unfortunately, Installation Services has grown increasingly unresponsive since September 2019 and currently is not returning any phone calls or emails. Installation Services is also the tower company for the Willis Tower repack, which is significantly delayed. Thus, at this point, we have no timeline or assurances as to when Installation Services will be able to build the CP at the CP Site. And we cannot hire another tower crew as the property owner prohibits us from using any other tower company at this site.

The Station went off the air on its pre-auction channel (W40CN-D) on October 9, 2019 pursuant to a phase change request by T-Mobile. At that time, Applicant believed it would be able to quickly build its new facility at the CP Site. However, it is now clear that in order to resume operations and complete its post-auction construction, it must move the Station to a different site. The facility proposed here will shrink the Station’s contour to ensure it remains within the currently authorized contour. While not ideal, Applicant is willing to accept this smaller facility to resume Station’s operations.

Proposed Facility

The Applicant proposes to move the Station 43.4 miles distance from its current licensed facility on channel 40, and 17.4 miles distance from its CP on channel 27. While a waiver of the 30-mile rule is required, the Applicant will mitigate the issue by proposing to keep the 51 dBu contours of the proposed facility of within the contours of the its CP. The proposed coverage exceeds the existing authorized coverage in a small area southeast of the transmitter site in Lake Michigan, where no viewers exist. See Attachment A.

The proposed facility was studied using TVStudy v2.2.5 using the following parameters:

Study Cell Size: 1.00 km
Profile Point Spacing: 0.10 km

The F(50,90) 51 dBu contours of the proposed facility overlaps with the F(50,90) 51 dBu contours of the existing licensed facility. It is believed that the proposed facility complies with

the requirements of Sections 74.709, 74.793(e), 74.793(f), 74.793(g), 74.793(h) and other applicable parts of the Rules and Regulations of the Federal Communications Commission.

Interference Acceptance & Consent Agreement

The previously submitted *Interference Acceptance & Consent Agreement dated June 13, 2018, by and between Local Media TV Chicago, LLC and WVTM Licensee, Inc.* remain in effect.¹

Digital TV and Class A Station Protection and Interference Acceptance

The proposed facility causes less than 0.5% interference to surrounding digital and Class A television stations and allotments and facilities (i.e., “*de minimis*”) based on TVStudy v2.2.5. It is believed that the proposed operation is in compliance with the spirit and intent of the FCC’s interference standards.

Low Power TV and TV Translator Station Protection

The proposed facility causes less than 2.0% interference to surrounding low power assignments and allotments (i.e., “*de minimis*”) based on TVStudy v2.2.5. It is believed that the proposed operation is in compliance with the spirit and intent of the FCC’s interference standards.

Environment Effect

The proposed facility is deemed individually and cumulatively to have no significant effect on the quality of the human environment and are categorically excluded from environmental processing as defined by 47 C.F.R. § 1.1306. Additionally, the Applicant certifies that it will reduce power or cease operation as necessary to protect any persons from having RF exposure in excess of FCC guidelines.

¹ See FCC File No. 0000034351 as amended.