

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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| In the Matter of |) | |
| |) | |
| RNN Boston License Co., LLC |) | MB Docket No. 21-_____ |
| |) | RM-_____ |
| Petition for Rulemaking to Amend the |) | |
| DTV Table of Allotments for |) | |
| Station WWDP(TV), Norwell, MA |) | |
| (Facility ID 23671) |) | |

PETITION FOR RULEMAKING

RNN Boston License Co., LLC (“RNN”), licensee of television station WWDP(TV), Norwell, Massachusetts (Facility ID No. 23671) (“WWDP” or the “Station”), hereby petitions the Commission to commence a rulemaking pursuant to Section 1.401 of the Commission’s rules¹ to amend the digital television Table of Allotments by allotting Channel 36 to WWDP in lieu of Channel 10.² As demonstrated herein, the proposed channel substitution for WWDP from VHF Channel 10 to UHF Channel 36 would allow the Station to significantly improve over-the-air service to viewers in the Boston, Massachusetts market. The proposed channel substitution would serve the public interest by addressing reception complaints WWDP has received from viewers. The channel change would also benefit WWDP’s channel share partner, WMFP(TV), Foxborough, MA, which is also owned by RNN.

I. WWDP Signal Issues on Existing Channel 10 Facilities

WWDP serves Norwell, Massachusetts and the surrounding Boston area and broadcasts on Channel 10. The Commission has recognized that “VHF channels have certain characteristics

¹ 47 C.F.R. § 1.401.

² 47 C.F.R. § 73.622(j).

that have posed challenges for their use in providing digital television service,” including “propagation characteristics of these channels [that] allow undesired signals and noise to be receivable at relatively farther distances,” the tendency of “nearby electrical devices . . . to emit noise in this band that can cause interference,” and the fact that “reception of VHF signals requires physically larger antennas that are generally not well suited to the mobile applications expected under flexible use, relative to UHF channels.”³ The Commission also confirmed, through independent investigations by a consulting engineering firm and its own laboratory staff, the “large variability in the performance (especially intrinsic gain) of indoor antennas available to consumers, with most antennas receiving fairly well at UHF and the substantial majority not so well to very poor at high-VHF.”⁴ While not all stations have VHF reception issues, the Commission remains aware that “environmental noise blockages affecting [VHF] signal strength and reception exist” and “[vary] widely from service area to service area.”⁵

These findings are representative of RNN’s experience in Boston. RNN has received complaints from viewers complaining they are unable to receive the WWDP and WMFP signals on Channel 10. It is apparent that the stations’ digital Channel 10 signal is not providing these viewers with quality service.

³ *Innovation in the Broadcast Television Bands: Allocations, Channel Sharing and Improvements to VHF*, 25 FCC Rcd 16498, 16511 ¶ 42 (2010).

⁴ *Id.* at 16512 ¶ 44. See also *Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power Television, Television Translator, and Television Booster Stations and to Amend Rules for Digital Class A Television Stations*, 26 FCC Rcd 10732, 10750 ¶ 37 (2011) (“As a result of the full power digital television transition, some full power stations on VHF channels have experienced reception problems and such problems have not been alleviated even by allowing these stations to operate with the maximum power permitted under the full power television rules.”).

⁵ *Assessment and Collection of Regulatory Fees for Fiscal Year 2020*, MB Docket No. 20-105, FCC 20-64 ¶ 52 (rel. May 13, 2020).

II. The Proposed Channel Substitution is in the Public's Interest and Would Improve Local Viewers' Service

The Station's attached engineering study (the "Engineering Statement") confirms that with WWDP's proposed parameters, Channel 36 can be substituted for Channel 10 at Norwell, Massachusetts, in compliance with the Commission's rules. The proposed facility would continue to provide a principal community contour completely covering WWDP's community of license and would not cause impermissible interference to any other station. Specifically, an interference check using the FCC's TVStudy software reveals that the proposed facility is not predicted to cause more than 0.5% new interference to any other surrounding co-channel or adjacent channel facility.

The Engineering Statement also demonstrates that WWDP's Channel 36 contour would expand service in the Boston area to almost 25,000 additional people and would continue to fully cover the city of Norwell. While an analysis using the Commission's TVStudy tool also indicates that WWDP's move from Channel 10 to Channel 36 is predicted to create areas where viewers may lose service, most of those areas are over water and viewers in the loss area will continue to be served by multiple other Boston-area stations. And, since neither WWDP nor WMFP are affiliated with the major television networks, no viewers will lose network service. Accordingly, the large service area gain is demonstrably in the public interest as the channel change will allow WWDP and WMFP to provide almost 25,000 additional viewers with their programming, including programming specific to the Boston area.

The Commission will approve a modification despite some resulting service loss if it is "supported by a strong showing of countervailing public interest benefits," such as additional service gains.⁶ Here, given the viewer complaints RNN has received about reception issues, the

⁶ *Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to*

population loss would be outweighed by the substantial improvement in the station's over-the-air reception as well as the predicted increase in service to almost 25,000 additional people. The proposed move to Channel 36 therefore would serve the public interest by providing Boston-area residents with greater access to the stations' free-over-the-air signals. The proposed channel substitution would allow WWDP and WMFP to provide better service (particularly indoor service) and better serve their viewers with a more robust and reliable UHF signal.

Indeed, reliable over-the-air coverage is particularly critical as more U.S. households continue to cut the cord on traditional cable and satellite services.⁷ Many households are relying on free local broadcast signals, often in combination with online streaming services. The COVID-19 pandemic has helped to produce a significant increase in local and national broadcast television viewership, which further demonstrates that free, over-the-air broadcast TV coverage plays an essential role in providing information accessible to viewers. And in a market like Boston, having a strong over-the-air signal becomes even more important during local emergencies, when satellite and cable service, as well as electricity may be interrupted, because television broadcasters can still reach the many local viewers who have generators in their homes. During local emergencies, television broadcasters provide their local communities with the information they need. These ongoing trends underscore the importance of the proposed channel change and the benefits it will provide to the Boston market.

Digital Television, 22 FCC Rcd 9478, 9493 ¶ 38 & n.70 (2007).

⁷ See Aaron Pressman, "Cord cutting is breaking records during the pandemic," *Fortune*, <https://fortune.com/2020/09/21/cord-cutting-record-covid-19-pandemic/> (Sept. 21, 2020); "US Pay TV Suffers Historic Cord-Cutting," *eMarketer*, <https://www.emarketer.com/content/pay-tv-suffers-historic-cord-cutting> (Sept. 21, 2020).

III. Conclusion

The public interest would be served by promptly granting RNN's request to move WWDP from Channel 10 to Channel 36 so that Boston-area viewers may benefit from substantially improved over-the-air broadcast television service.

Respectfully submitted,

RNN BOSTON LICENSE CO., LLC

By: _____ /s/

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