Approved by OMB (Office of Management and Budget) 3060-0016
December 2014

Federal Communications Commission

(REFERENCE COPY - Not for submission)

Displacement for LPTV Translator Application

File Number: **0000029425** | Submit Date: **08/23/2017** | Call Sign: **K48KE-D** | Facility ID: **50192** | FRN: **0005048400** | State: **Oklahoma** | City: **BUFFALO**

Service: **LPT** | Purpose: **Displacement BLDTT-20091228AEL** | Status: **Pending** | Status Date: **08/23/2017** | Filing Status: **Active**

General Information

Section	Question	Response
Attachments	Are attachments (other than associated schedules) being filed with this application?	Yes

Fees, Waivers, and Exemptions

Section	Question	Response
Waivers	Does this filing request a waiver of the Commission's rule(s)?	Yes
	Total number of rule sections involved in this waiver request:	1

Applicant Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
OKLAHOMA EDUCATIONAL TELEVISION AUTHORITY Doing Business As: OKLAHOMA EDUCATIONAL TELEVISION AUTHORITY	7403 NORTH KELLEY AVENUE OKLAHOMA CITY, OK 73113 United States	+1 (405) 848-8501	MNORMAN@OETA.TV	Government Entity

Authorization Holder Name

☐ Check box if the Authorization Holder name is being updated because of the sale (or transfer of control) of the Authorization(s) to another party and for which proper Commission approval has not been received or proper notification provided.

Contact Representatives (2)

Contact Name	Address	Phone	Email	Contact Type
BARRY S. PERSH GRAY MILLER PERSH LLP	1200 NEW HAMPSHIRE AVENUE NW SUITE 410 WASHINGTON, DC 20036 United States	+1 (202) 776-2458	BPERSH@GRAYMILLERPERSH.COM	Legal Representative
Dennis Wallace *Technical Consultant* Meintel, Sgrignoli, & Wallace, LLC	Dennis Wallace 1282 Smallwood Drive Suite 372 Waldorf, MD 20603 United States	+1 (202) 251-7589	dennis.wallace@mswdtv.com	Technical Representative

Alien Ownership

Question	Response
1) Is the applicant a foreign government or the representative of any foreign government as specified in Section 310(a) of the Communications Act?	
2) Is the applicant subject to the provisions set forth under Section 310(b) of the Communications Act, for a broadcast, common carrier, aeronautical en route, or aeronautical fixed radio station Authorization?	
3) Is the applicant an alien or the representative of an alien? (Section 310(b)(1))	
4) Is the applicant a corporation, or non-corporate entity, that is organized under the laws of any foreign government? (Section 310(b)(2))	
5) Is the applicant an entity of which more than one-fifth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any entity organized under the laws of a foreign country? (Section 310(b)(3))	
6) Is the applicant directly or indirectly controlled by any other entity of which more than one-fourth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any entity organized under the laws of a foreign country? (Section 310(b)(4))	
7) Has the applicant received a ruling(s) under Section 310(b)(4) of the Communications Act with respect to the same radio service involved in this application?	
8) Has there been any change in the applicant's foreign ownership since issuance of the declaratory ruling(s) cited in response to Question 7?	
8a) Enter the File or Docket Number of the Petition for Declaratory Ruling that the applicant has filed for its foreign ownership in connection with this application pursuant to Section 310(b)(4) of the Communications Act. It is not necessary to file a request for a foreign ownership declaratory ruling if the applicant attaches a showing that the requested authorization(s) is exempt from the provisions of Section 310(b)(4).	
9) Does the applicant’s foreign ownership comply with the declaratory ruling(s) cited in response to Question 7?	

Basic Qualifying Questions

Section	Question	Response
Revoked Application	Has the Applicant or any party to this application had any FCC station Authorization revoked or had any application for an initial, modification or renewal of FCC station Authorization denied by the Commission?	No
State or Federal Convictions	Has the Applicant or any party to this application, or any party directly or indirectly controlling the Applicant, ever been convicted of a felony by any state or federal court?	No

Channel and Facility Information

Section	Question	Response
Proposed Community of License	Facility ID	50192
	State	Oklahoma
	City	BUFFALO
	LPT Channel	28

Antenna Location Data

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1036289
Coordinates (NAD83)	Latitude	36° 43' 46.0" N+
	Longitude	099° 43' 00.0" W-
	Structure Type	TOWER-A free standing or guyed struct
	Overall Structure Height	65.5 meters
	Support Structure Height	61.0 meters
	Ground Elevation (AMSL)	701.0 meters
Antenna Data	Height of Radiation Center Above Ground Level	62.8 meters
	Height of Radiation Center Above Mean Sea Level	763.8 meters
	Effective Radiated Power	9.4 kW

Antenna Technical Data

Section	Question	Response
Antenna Type	Antenna Type	Non-Directional
	Do you have an Antenna ID?	Yes
	Antenna ID	76244
Antenna Manufacturer and Model	Manufacturer:	Kathrein
	Model	UTV-11/P/W/L
	Rotation	
	Electrical Beam Tilt	1.0
	Mechanical Beam Tilt	Not Applicable
	toward azimuth	
	Polarization	Horizontal
Elevation Radiation Pattern	Does the proposed antenna propose elevation radiation patterns that vary with azimuth for reasons other than the use of mechanical beam tilt?	No
	Uploaded file for elevation antenna (or radiation) pattern data	
	Out-of-Channel Emission Mask:	Stringent

Parties to the Application (0)

Information not provided.

Attributable Interest

Section	Question	Response
Equity and Financial Interests	Applicant certifies that equity and financial interests not set forth by the applicant parties are non-attributable.	
Other Authorizations	Does the applicant or any party to the application have an attributable interest in any other broadcast station(s).	

Construction Permit Certifications

Section	Question	Response
Post-Incentive Auction Expedited Processing	It will operate on the DTV channel for this station as established in the post-incentive auction channel reassignment public notice.	
	It will operate post-incentive auction facilities that do not expand the noise-limited service contour in any direction beyond that established by the post-incentive auction channel reassignment public notice.	
	It will operate post-incentive auction facilities that match or reduce by no more than five percent with respect to predicted population from those defined in the post-incentive auction channel reassignment public notice.	
	The antenna structure to be used by this facility has been registered by the Commission and will not require re-registration to support the proposed antenna, OR the FAA has previously determined that the proposed structure will not adversely affect safety in air navigation and this structure qualifies for later registration under the Commission's phased registration plan, OR the proposed installation on this structure does not require notification to the FAA pursuant to 47 C.F.R. Section 17.7.	
Environmental Effect	Would a Commission grant of Authorization for this location be an action which may have a significant environmental effect? (See Section 1.1306 of 47 C.F.R.)	No
Broadcast Facility	The proposed facility complies with all of the following applicable rule sections. 47 C.F.R. Sections 74.709, 74.793 (e), 74.793(f), 74.793(g), 74.793(h)	Yes

Legal Certifications

Section	Question	Response
Character Issues	Applicant certifies that neither applicant nor any party to the application has or had any interest in, or connection with: (a) any broadcast application in any proceeding where character issues were left in unresolved or were resolved adversely against the applicant or party to the application; or (b) any pending broadcast application in which character issues have been raised.	
Adverse Findings	Has the Applicant or any party to this application had an adverse finding or an adverse final action taken by any court or administrative body in a civil or criminal proceeding brought under any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?	
Program Service Certification	Applicant certifies that it is cognizant of and will comply with its obligations as a Commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.	
Local Public Notice	Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	Yes
Equal Employment Opportunity (EEO)	If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report.	
Auction Authorization	If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable.	N/A
Rebroadcast Certification	(For Applicants proposing rebroadcasts that are not the licensee of the primary station) Applicant certifies that written authority has been obtained from the licensee of the station whose programs are to be retransmitted.	N/A

Certification

Section	Question	Response
General Certification Statements	The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).	
	The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1. 2002(b) of the rules, 47 CFR §1.2002(b), for the definition of "party to the application" as used in this certification §1.2002 (c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.	
Authorized Party to Sign	**FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID** Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application. WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND /OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, §503).	
	I certify that this application includes all required and relevant attachments.	Yes
	I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.	**Mark R. Norman** *Interim Executive Director* 08/23/2017

Attachments

File Name	Uploaded By	Attachment Type	Description
DISPLACEMENT_WINDOW_FREEZE_WAIVER_OKLAHOMA.pdf	Applicant	All Purpose	Displacement Filing Freeze Waiver Request
K46KE_BUFFALO_MSW_FCC_STATEMENT_OETA_082017.pdf	Applicant	Construction Permit Certifications	K46KE RFR and Environmental Statement
K48KE-D BUFFALO OK TV STUDY RESULTS.pdf	Applicant	All Purpose	K48KE CH28 TVSTUDY RESULTS SUMMARY
T-Mobile Notice Letter K48KE-D Buffalo Oklahoma.pdf	Applicant	Fees, Waivers and Exemptions	T-Mobile Commencement of Operations Letter K48KE-D Buffalo, OK
UTV-4-11-P-W-L-stand-pat.pdf	Applicant	All Purpose	Kathrein UTV-11 Antenna Pattern Information

Meintel, Sgrignoli, & Wallace

TRANSLATOR DISPLACEMENT FILING FREEZE WAIVER REQUEST

Oklahoma Educational Television Authority (OETA) hereby requests a waiver of the Displacement Filing Freeze (see Freeze on the Filing of Applications for Digital Replacement Translator Stations and Displacement Application, FCC Public Notice 29 FCC Rcd 6063 (MB 2014)).

This waiver is requested in order to file an application for a new channel for this translator due to the receipt of a 120-Day Commencement of Operations letter from a successful FCC Incentive Auction Winning Bidder. The winning bidder has notified the licensee that it intends to commence operations in the area and that the translator must cease operations on its existing channel. Consequently, the licensee has filed this application in accordance with the procedures set forth in the FCC Public Notice regarding TV Translator STA and Displacement Window Filing Procedures (DA 17-584, June 14, 2017).

The licensee is filing an application for a new channel that demonstrates compliance with the processing and interference standards as outlined in the Public Notice.

Furthermore, the licensee will be filing a companion Legal STA to enable operations on the proposed displacement channel in the interim until the Displacement Filing Window Applications have been processed.

Meintel, Sgrignoli, & Wallace

Engineering Statement

Displacement of K48KE-D
Proposed Channel 28 at Buffalo, Oklahoma
August 20, 2017

This Engineering Statement has been prepared on behalf of the Oklahoma Educational Television Authority (OETA), licensee of Digital TV Translator Station K48KE-D at Buffalo, Oklahoma. The statement was prepared in support of a Displacement Channel Window Filing as well as a Legal STA seeking interim operations as herein proposed.

The translator currently operates on channel 48, which is out of the new post-incentive auction core television spectrum. The licensee has received a 120-day Commencement of Operation letter from T-Mobile, a winning bidder in the FCC incentive auction. T-Mobile has advised the licensee that it must cease its operations on channel 48 in order to clear the spectrum in the area to enable the commencement of wireless operations in the band prior to the opening of the FCC TV Translator Displacement Channel Filing Window.

Following the FCC prescribed procedures, OETA respectfully requests a waiver of the Displacement Filing Freeze in accordance with the procedures released by the FCC in a Public Notice dated June 14, 2017 regarding filing procedures for such situations.

Granting the waiver and the STA would enable the station to continue its operations providing vital Public Television service as well as other information to the viewers in the area, while minimizing any disruption in service.

Therefore, OETA is filing both a displacement application and a Request for Special Temporary Authority (STA) seeking authorization to move its operations to channel 28 from the existing tower site.

Meintel, Sgrignoli, & Wallace

The parameters of the proposed facility are as follows:

Proposed Parameters:

Transmitter Location:	36-43-46.0 N 099-43-00.0 W (NAD 83)
Channel:	28
ERP:	9.4 KW
Emission Mask:	Stringent
Antenna Pattern:	Omnidirectional
Antenna Manufacturer:	Kathrein
Antenna Model:	UTV-11/P/W/L
Antenna RCAGL:	62.8 Meters
Overall Structure AGL:	65.5 Meters
RCAMSL	763.8 Meters

Interference Study:

An interference study was undertaken utilizing the FCC's TVStudy program to analyze the co-channel and adjacent channel interference scenarios for the new proposed channel of operation. A copy of the results from the TVStudy analysis is attached hereto.

The results of the study indicated that no impermissible interference would result from the proposed operations.

Based upon the forgoing interference study, it is believed that the proposed facility can operate without any impermissible interference to other stations.

RF Exposure Study:

Furthermore, a study was conducted to determine compliance with the RF Radiation Maximum Permissible Exposure (MPE) limits of the proposed operation. The study was conducted using the methodology outlined in the FCC's OET Bulletin 65 regarding RF Radiation Compliance.

The study utilized the proposed antenna height of 62.8 meters AGL and a reference height of 2 meters AGL for the reference location. This yields a distance from the antenna of 60.8 meters.

The proposed antenna elevation pattern indicates that the downward radiation from the antenna from 45° to 90° below horizontal has a maximum relative field value of 0.19 (at approximately 30° below horizontal). This value was used in conjunction with the

distance from the antenna and the prescribed formula from OET Bulletin 65 to determine a maximum predicted power density of 16.14µW/cm² at 2 meters above ground level near the base of the tower. The Maximum Permissible Exposure Level (MPE) for the Uncontrolled/General Population environment for Channel 28 is approximately 371.3µW/cm². Thus, the proposal is approximately 4.3% of the General Population MPE level and well within the allowable limit.

Based upon the forgoing it is believed that the proposed facility is in compliance with the required RF Exposure limits.

The licensee and all station personnel and contractors are required to follow appropriate safety procedures before the commencement of any work on the tower or in close proximity to the antenna. These procedures including reducing power or turning off the transmitter before any work is undertaken at the site. The licensee in coordination with any other users of the site must reduce power or cease operations as necessary to ensure workers having access to the site, tower, and antenna locations are not exposed to RF Radiation levels in excess of those prescribed by FCC Guidelines.

August 20, 2017

Dennis W. Wallace C.B.T.E.
Meintel, Sgrignoli, & Wallace, LLC
1282 Smallwood Drive
Suite 372
Waldorf, MD 20603
(202) 251-7589
dennis.wallace@mswdtv.com

Study created: 2017.08.21 11:59:55
Study build station data: LMS TV 2017-05-25 (3)
Proposal: K48KE-D D28 (D48) LD LIC BUFFALO, OK
File number: BLDTT20091228AEL
Facility ID: 50192
Station data: User record
Record ID: 337
Country: U.S.

Stations potentially affected:

Call	Chan	Svc Status	City, State	File Number	Distance
KFOR-TV	D27	DT LIC	OKLAHOMA CITY, OK	BLCDT20050701ABR	236.1 km
K27JO-D	D27	LD LIC	STRONG CITY, OK	BLDTT20100521AEE	105.9
K28NC-D	D28	LD CP	BURLINGTON, CO	BNPDTL20100514AFR	367.0
K28ND-D	D28	LD CP	COLBY, KS	BNPDTL20100514AGM	298.2
K28NE-D	D28	LD CP	HAYS, KS	BNPDTL20100514AHB	238.0
KWKD-LP	N28+	TX LIC	WICHITA, KS	BLTT20050801AHP	237.9
KWKD-LP	D28	LD CP	WICHITA, KS	BDFCDTL20101025AAU	227.5
K28JX-D	D28	LD LIC	ALVA - CHEROKEE, OK	BLDTT20101007ABK	103.2
K28LR-D	D28	LD CP	ERICK, OK	BNPDTL20100406ACK	167.9
K28GI-D	D28	LD LIC	GUYMON, OK	BLDTT20111227ACE	155.9
KTPX-TV	D28	DT LIC	OKMULGEE, OK	BLCDT20020510AAQ	336.9
KEAM-LD	D28	LD LIC	AMARILLO, TX	BLDTL20121231ALQ	255.1
KFMP-LP	D28+	LD CP	LUBBOCK, TX	BLANK0000011027	406.2
DKTGB-LP	D28	LD APP	LUBBOCK, TX	BDISDTL20090902AAH	399.6
K28LT-D	D28	LD CP	TULIA, TX	BNPDTL20100324ADO	309.0
K28KV-D	D28	LD LIC	TURKEY, TX	BLDTT20101115FOE	288.3
KFDX-TV	D28	DT LIC	WICHITA FALLS, TX	BLCDT20090205ABU	332.6
KSAS-LP	D29	LD LIC	DODGE CITY, KS	BLDTL20140106DOA	120.6
K29JU-D	D29	LD CP	GARDEN CITY, KS	GARDEN CITY, KS	167.4
KTUZ-TV	D29	DT LIC	SHAWNEE, OK	BLCDT20081105ACO	238.7
K29HY-D	D29	LD LIC	STRONG CITY, OK	BLDTT20100521AED	105.9

K29HZ-D	D29	LD LIC	WOODWARD, ETC., OK	BLDTT20101007ABM	43.2
K29BR-D	D29	LD LIC	CANADIAN, TX	BLDTT20100520ADC	92.9

Cannot run AM station check, missing parameters
Record parameters as studied:
Channel: D28
Mask: Stringent
Latitude: 36 43 46.00 N (NAD83)
Longitude: 99 43 0.00 W
Height AMSL: 763.8 m
HAAT: 0.0 m
Peak ERP: 12.0 kW
Antenna: Omnidirectional

50.1 dBu contour:

Azimuth	ERP	HAAT	Distance
0.0 deg	12.0	170.9 m	48.0 km
45.0	12.0	178.1	48.4
90.0	12.0	152.9	46.8
135.0	12.0	112.5	43.9
180.0	12.0	106.2	43.3
225.0	12.0	111.4	43.8
270.0	12.0	90.1	41.4
315.0	12.0	109.3	43.6

Database HAAT does not agree with computed HAAT
Database HAAT: 0 m Computed HAAT: 129 m
Distance to Canadian border: 1363.8 km
Distance to Mexican border: 787.3 km
Conditions at FCC monitoring station: Grand Island NE
Bearing: 13.1 degrees Distance: 479.2 km

Proposal is not within the West Virginia quiet zone area
Conditions at Table Mountain receiving zone:
Bearing: 309.8 degrees Distance: 609.7 km
Study cell size: 1.00 km
Profile point spacing: 1.00 km

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

No IX check failures found.

T-Mobile

VIA CERTIFIED MAIL & EMAIL

June 27, 2017

OKLAHOMA EDUCATIONAL TELEVISION AUTHORITY
7403 NORTH KELLEY AVENUE
OKLAHOMA CITY, OK 73113

RE: Notification of Intent to Begin 600MHz Operations

Dear K48KE-D Licensee:

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") # 305 by 10/31/2017 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 procedures[239], 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 # 305 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 # 305 market on 10/31/2017. 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 # 305 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.[240]

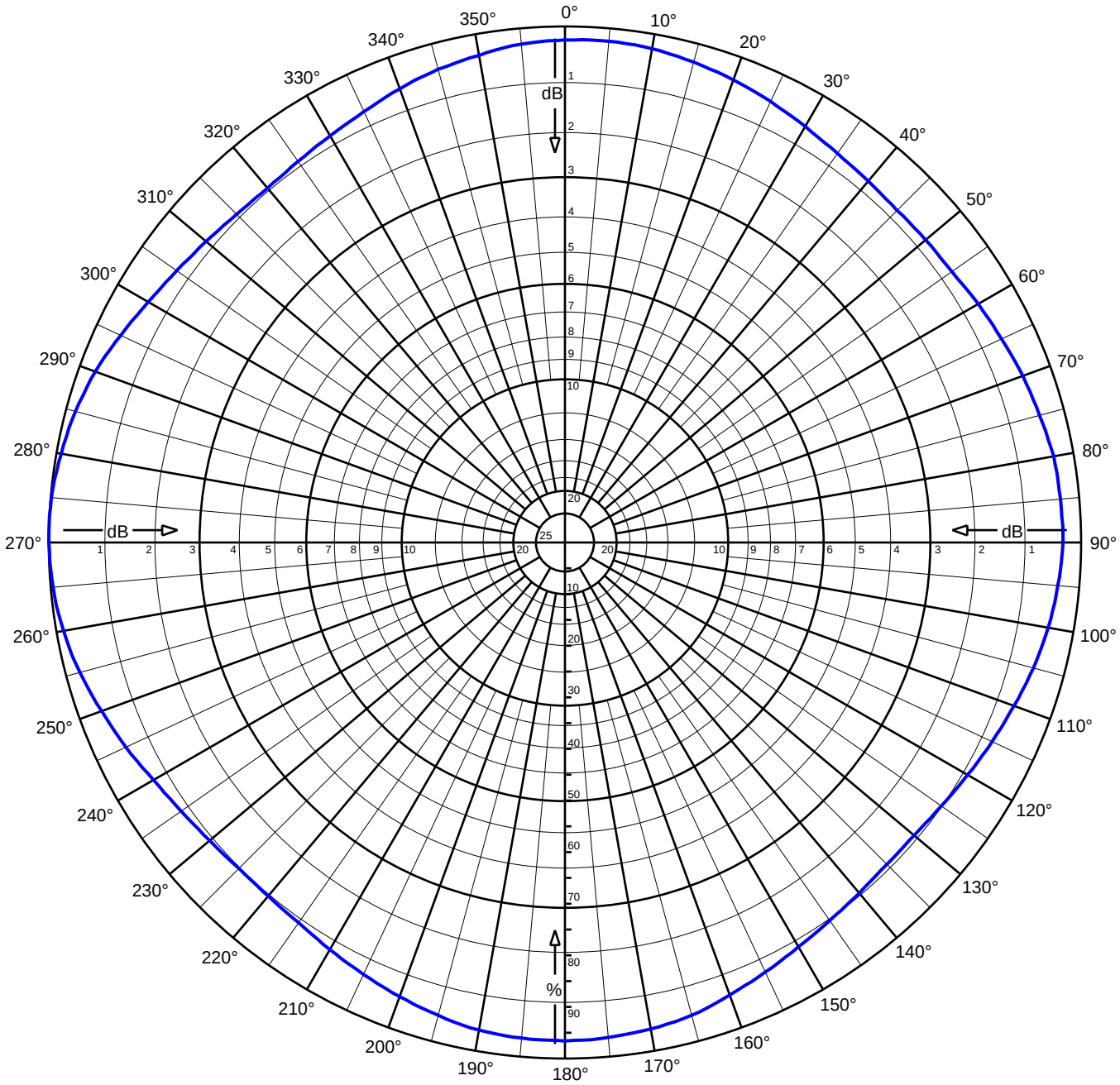
Please email 600MhzFC@T-Mobile.com once you have determined when you will eliminate the interference. If you would like additional information regarding our findings or if it might be

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[239] *See* 30 FCC Rcd 12049, 12071, para. 49 (2015)
[240] *See* https://www.fcc.gov/document/iatf-mb-set-forth-tools-available-lptvtranslator-stations

possible to coordinate our operations, please submit a request to Dan Wilson, Sr. Manager, Spectrum Engineering, at 600MhzFC@T-Mobile.com.

Sincerely,
/s/ Dan Wilson
Sr. Manager, Spectrum Engineering, T-Mobile USA, Inc.



UTV-11/P/W/L Superturnstile Antenna

Max gain: 11dBd

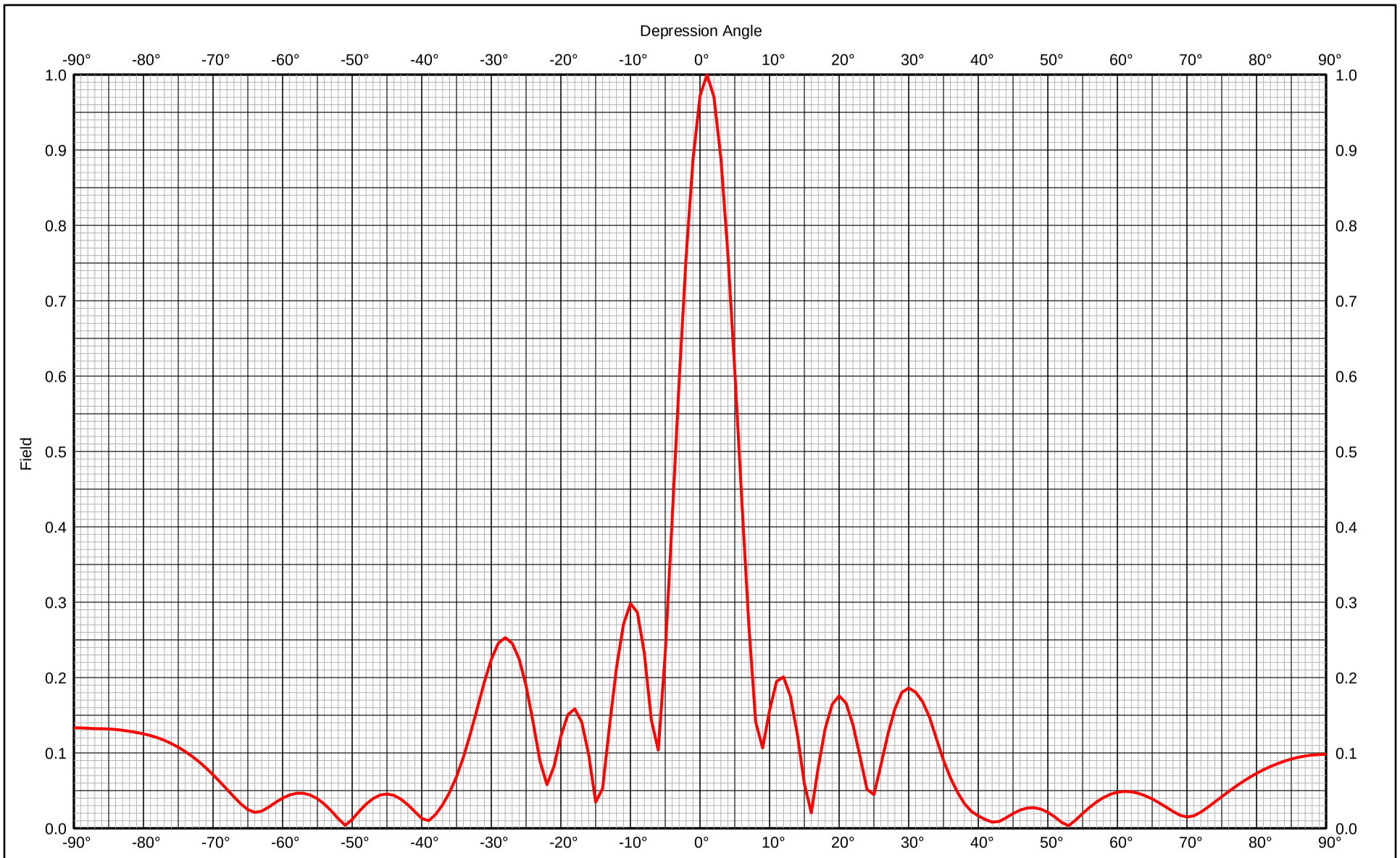
Max Power : 10kW

Standard EDT 1'

Mid Band

KATHREIN
USA

w/ 1st Null Fill standard



UTV-11/P/W/L Superturnstile Antenna **Mid Band**

Max gain: 11dBd

Max Power : 10kW

Standard EDT 1' **w/ 1st Null Fill standard**

KATHREIN

USA