

ENGINEERING STATEMENT

This engineering statement supports this amendment application to modify FCC File No. 0000054810, a displacement application filed on June 1, 2018 pursuant to the Special Displacement Window PN released February 9, 2018 (DA 18-124), for the licensed facility of W26DB-D¹, Facility ID 127912, FCC File Number 0000049187, licensed to the Applicant herein.

Amendment

This amendment application is filed to include a waiver acceptance as the proposed facility on channel 28 is predicted to cause 0.92% interference to FCC File No. 0000034537, a construction permit for WEPT-CD, Channel 28, Facility ID 30429. The Applicant owns both W26DB and WEPT-CD, and hereby accepts such interference to allow the grant of this application.

Nature of Displacement

W26DB-D is displaced because of the following:

Call Sign	Channel	City and State	FCC File Number	Interference
WFUT-DT	26	Newark, NJ	0000034667, CP	33.54% AGG IX

Proposed Facility

The Applicant proposes to move W26DB-D to channel 28. The proposed facility is less than 30 miles distance from the existing licensed facility. 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. The proposed facility was studied using TVStudy v2.2.5 using the following parameters and the results are as follow:

- Study cell size: 1.00 km
- Profile point spacing: 0.10 km
- Distance to Canadian border: 379.3 km
- Distance to Mexican border: 2691.5 km
- Conditions at FCC monitoring station: Laurel MD
Bearing: 232.0 degrees Distance: 317.2 km
- Proposal is not within the West Virginia quiet zone area
- Conditions at Table Mountain receiving zone:
Bearing: 278.4 degrees Distance: 2630.8 km

The proposed facility does not cause interference to the predicted service of: (1) all other primary users in the repacked TV Band or in adjacent bands including land mobile operations, (2) licenses and valid construction permits for LPTV/translator stations; (3) licenses and valid construction permits for full power and Class A stations that were not reassigned; (4) the post-auction channels of reassigned full power and Class A stations as reflected in the Closing and Reassignment Public Notice, and (5) the alternative channels and expanded facilities proposed during the two filing windows by reassigned full power and Class A stations.

¹ FCC issued a new call sign for the proposed displacement facility: W28ET-D

It is believed that the proposed facility complies with 47 C.F.R. Sections 74.709, 74.793(e), 74.793(f), 74.793(g), 74.793(h).

Waiver Request

The Applicant hereby requests to waive the contingent application rule 47 C.F.R Section 73.3517 to allow the grant of this application which is necessary for the station to continue to serve its current viewers.

In addition, in order to comply with Section 73.3700(g)(2), the Applicant agrees to a condition that the proposed facility will not commence operation until any other potentially mutually interfering repacked full power or Class A stations have left their channels pursuant to the relevant phase assignment.

Digital TV and Class A Station Protection

Except as referenced above, 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 of W26DB-D on channel 28 is predicted to cause interference to the existing licensed facility of W28ES-D. Both stations are licensed to the Applicant herein and the Applicant hereby agrees to accept interference.

Except as referenced above, the proposed facility causes less than 2.0% interference to surrounding low power licenses and construction permits (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.