

REQUEST FOR WAIVER

Section 73.1675(a)(1)(iii) of the Commission's Rules requires that the 41 dBu (formerly Grade B) contour of the station's signal from an auxiliary antenna "not extend beyond the 41 dBu contour of the signal from the main antenna." The 41 dBu contour of the proposed auxiliary facilities will exceed the present licensed 41 dBu contour on some azimuths, although only to a small extent. If a waiver of Section 73.1615(a)(1) is required for the small excess area, it is hereby requested.

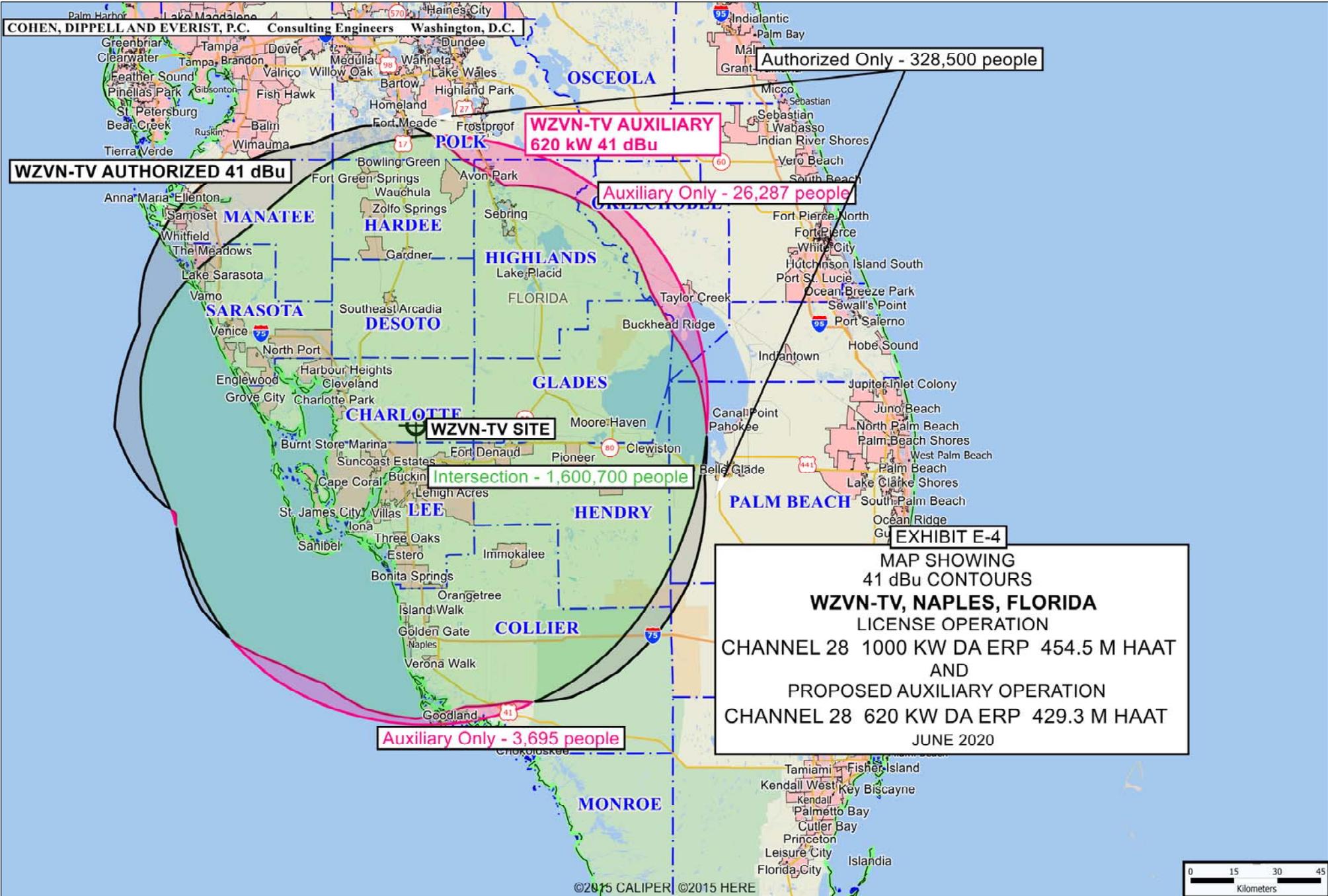
WZVN-TV's authorized effective radiated power (ERP) from the main antenna is 1,000 kW. This application proposes an ERP of 620 kW from the auxiliary antenna, at a lower antenna height than the main antenna, on the same tower. The power/height reduction is intended to comply with Section 73.1675(a)(1). However, the licensed main antenna for WZVN-TV has a custom-designed directional pattern. The proposed auxiliary antenna is a standard model that does not and cannot exactly replicate the coverage of the main antenna. The auxiliary antenna was installed for temporary use (pursuant to an STA) during the 2019 TV spectrum repack. It was selected because it was reasonably priced and available without a long wait, and its impact on the tower in terms of weight and wind load was small enough that could be left in place after the new main antenna was mounted at the top of the tower. This application requests permanent authority to use that antenna for standby purposes.

A map is attached depicting the licensed and proposed auxiliary 41 dBu service contours. It shows that with the auxiliary antenna, WZVN-TV will reach only 29,982 persons who do not receive service from the main antenna, a gain of only 1.9%, while the station will lose service to 328,500 persons, a loss of 20.5%. Most of the excess land coverage is to the northeast, where the main antenna directional pattern is drawn in, over a narrow crescent of Highlands and Okeechobee Counties that has no major population centers. WZVN-TV will have no economic incentive to use the auxiliary antenna and suffer a large net loss of the population it serves, except when the main antenna is out of service and the station has no alternative to stay on the air.

The effective radiated power of the station would have to be reduced dramatically to avoid any excursion at all of the auxiliary coverage outside the licensed coverage area. The result would be degraded service to Naples, WZVN-TV's community of license, along with a complete loss of predicted coverage of a significant part of Collier County, where over one quarter of the persons in the Fort Myers-Naples DMA reside, including Marco Island, almost directly due south from the WZVN-TV transmitter site. (Marco Island is close to Goodland, shown just inside the south edge of the 41 dBu contour on the coverage map.) Marco Island is particularly susceptible to hurricane damage,¹ and its residents rely on local television broadcast service during emergency weather conditions. They also rely on local TV for instructions in other emergencies, such as the current Covid-19 pandemic. There are no other TV markets or full power TV stations to the south of Collier County and Marco Island, or any other ABC network affiliate anywhere, that can provide local coverage in place of WZVN-TV.

It is respectfully submitted that maintaining adequate service to Naples and all predicted service to Marco Island and the southern part of Collier County should be the controlling consideration and justifies the ERP level requested in this application.

¹ Attached are National Storm Surge Maps from the National Weather Service, showing that the entire Collier County coastline and is susceptible to water surges of 9 feet or more above ground (area depicted in red) during Category 2 hurricanes, and the high water risk extends far inland during Category 4 hurricanes. The southwestern coast of Florida experiences dangerous hurricanes every year.



National Storm Surge Hazard Maps

NOAA/NWS/NHC Storm Surge Unit



This is not a real-time product. For active tropical cyclones, please see hurricanes.gov and consult local products issued by Weather Service



Texas to Maine

Puerto Rico and U.S. Virgin Islands

Hawaii

Hispaniola

Category 1

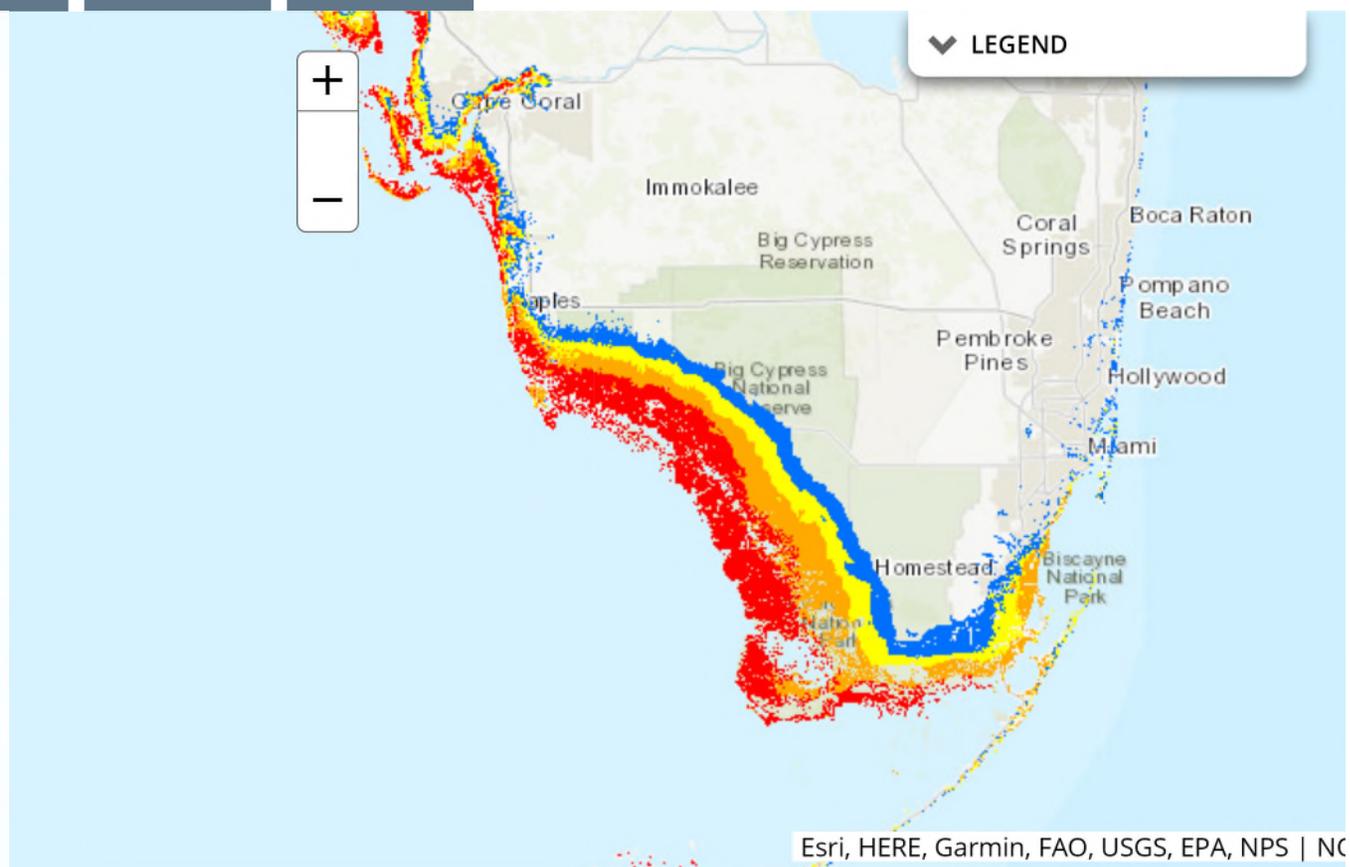
Category 2

Category 3

Category 4

Category 5

This national depiction of storm surge flooding vulnerability helps people living in hurricane-prone coastal areas along the U.S. East and Gulf Coasts and Puerto Rico to evaluate their risk to the storm surge hazard. These maps make it clear that storm surge is not just a beachfront problem, with the risk of storm surge extending many miles inland from the immediate coastline in some areas. If you discover via these maps that you live in an area vulnerable to storm surge, find out today if you live in a hurricane storm surge evacuation zone as prescribed by your local emergency management agency. If you do live in such an evacuation zone, decide today where you will go and how you will get there, if and when you're instructed by your emergency manager to evacuate. If you don't live in one of those evacuation zones, then perhaps you can identify someone you care about who does live in an evacuation zone, and you could plan in



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