

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

In the Matter of	)	
	)	
SINCLAIR MEDIA LICENSEE, LLC	)	MB Docket No. 23- _____
	)	RM - _____
Petition for Rulemaking to Amend the	)	
DTV Table of Allotments for	)	
Station KECI-TV, Missoula, MT	)	
(Facility ID No. 18084)	)	

**PETITION FOR RULEMAKING**

SINCLAIR MEDIA LICENSEE, LLC (“Sinclair Media”), licensee of television station KECI-TV, Missoula, MT (Facility ID No. 18084) (“KECI”), hereby requests that the Commission commence a rulemaking pursuant to Section 1.401 of the Commission’s rules<sup>1</sup> in order to amend the DTV Table of Allotments by allotting Channel 21 to KECI in lieu of Channel 20 consistent with the technical parameters as set forth in the attached Engineering Statement.<sup>2</sup>

This Petition is related to a Petition for Rulemaking (the “Channel 20 Petition”) filed with respect to KECI in November, 2020 requesting that Channel 20 be allotted to KECI.<sup>3</sup> That Petition was subsequently granted by the Commission and Sinclair Media was granted a construction permit to build the KECI facilities on Channel 20.<sup>4</sup> In preparing the Channel 20 Petition, Sinclair Media used the TVStudy program to determine predicted interference.

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<sup>1</sup> 47 C.F.R. § 1.401.

<sup>2</sup> See Engineering Statement of John E. Hidle, P.E., In Support of a Petition to Amend the Digital Television Table of Allotments for KECI, Missoula, MT filed with this Petition (“Engineering Statement”).

<sup>3</sup> MB Docket 21-176.

<sup>4</sup> *Amendment of 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations (Missoula, Montana)*, Report and Order, 31 FCC Rcd 11180, MB 21-176 (Vid. Div. 2021). LMS File No. 0000127630.

TVStudy indicated that predicted interference to KECI from co-owned and proposed co-channel station KTVM, Butte, MT, and interference from KECI to KTVM, would affect less than 1% of the populations within the Noise Limited Signal Contour for both stations.<sup>5</sup>

However, after the DTV Table of Allotments had been amended for Missoula and Butte Montana, and constructions permits for each of KECI and KTVM granted, local engineering staff at the stations realized that the “real-world” interference consequences of KECI and KTVM both operating on Channel 20 would result in a significant number of persons receiving interference; a greater impact than was realized when the TVStudy analyses had been done in connection with the rulemaking petitions for the stations. Moreover, such interference would not be localized, but rather would be spread throughout large portions of the Missoula and Butte service areas.

Sinclair Media has determined that the unanticipated degree of the adverse consequences of such co-channel operation on the viewers of KECI and KTVM would be eliminated if the stations were to operate on first-adjacent channels rather than the same channel. Moving KECI from its current operations on Channel 13 to Channel 21 would achieve all the public interest benefits described in the Channel 20 Petition associated with moving from a VHF to a UHF channel, including a substantial increase in signal receivability for KECI’s core viewers and reception of KECI’s signal with a significantly smaller antenna. Operation on Channel 21 also would eliminate the interference issues inherent in operating both KECI and KTVM on Channel 20 resulting in a substantial number of additional viewers being able to receive KECI and/or KTVM free from interference from the co-channel station.<sup>6</sup>

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<sup>5</sup> While the predicted interference initially appeared to be acceptable to Sinclair Media, it did exceed the Commission’s *de minimis* standard of 0.5%: 0.84% in the case of interference by KTVM to KECI, and 0.97% in the case of interference by KECI to KTVM.

<sup>6</sup> Operation of KECI on Channel 21 as opposed Channel 20 would result in an estimated 1,602 additional persons within the KECI NLSC being able to receive KECI free from interference from KTVM, and an estimated 1,647

Moreover, the substitution of Channel 21 for Channel 20 would cause no reduction in KECI service as compared to the previously proposed Channel 20 facility or to the existing Channel 13 facility. Finally, the proposed amendment to the Table of Allotments to prevent interference is consistent with Commission precedent.<sup>7</sup>

As shown in the attached Engineering Statement, KECI's proposed move to Channel 21 protects all operating and approved post-Incentive Auction facilities in accordance with the Commission's rules. Accordingly, the public interest would be best served by promptly granting KECI's request to move Channel 21 with the specifications set forth in the Engineering Statement, so that Missoula, Montana-area viewers, as well as Butte, Montana viewers, may benefit from improved, interference-free, over-the-air broadcast television service as soon as possible, consistent with §73.622(i) of the Commission's Rules.

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additional persons within the KTVM NLSC being able to receive KTVM free from interference from KECI. See Engineering Statement.

<sup>7</sup> The Video Division previously has approved amendments to the DTV Table of Allotments where necessary to eliminate co-channel interference. *See, e.g., Amendment of 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (New Haven, Connecticut)*, Report and Order 26 FCC Rcd 3877, MB 09-123 (Vid Div. 2011).

## Conclusion

For the foregoing reasons, the proposed amendment to the DTV Table of Allotments will clearly serve the public interest. Petitioner therefore respectfully requests that the DTV Table of Allotments be amended in accordance with the specifications set forth in the attached Engineering Statement.

Respectfully submitted,

**SINCLAIR MEDIA LICENSEE, LLC**

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