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September 18, 2007

Honorable Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
Washington, DC 20554

FILED/ACCEPTED

SEP 18 2007

Federal Communications Commission  
Office of the Secretary

Attention: Mr. James Bradshaw  
Audio Division, Media Bureau

**RE: FM Translator W249AH, Johnson City, TN  
FCC Facility ID # 27499  
Request for Waiver to Permit  
"AM on FM" Operation**

Dear Madame Secretary:

Holston Valley Broadcasting Corporation (Holston), by its attorney, hereby respectfully requests a Special Temporary Authority (STA) in effect waiving of all relevant sections and subsections of Part 74, Subpart L of the Commission's rules in order to allow the programming of Holston's WKTP(AM), 1590 kHz, Jonesborough, Tennessee (Facility ID #27498), to be rebroadcast by Holston's FM Translator Station W249AH, Johnson City, Tennessee, pending the outcome of the current FCC Rulemaking proceeding (RM-11338) in which allowing the programming of AM stations to be rebroadcast by FM translators on a routine basis is being considered. An original and four copies of this request are being submitted herewith.

At the present time, the Commission's rules (particularly Sections 74.1201(a), 74.1201(d), 74.1231 and 74.1232 limit the permissible service of an FM translator station to the rebroadcast of certain FM broadcast stations that meet the eligibility requirements of Part 74 of the Commission's Rules.

Currently, Station W249AH is authorized to rebroadcast FM Broadcast Station WRZK, Colonial Heights, Tennessee, to which programming is provided by Holston pursuant to a time brokerage agreement.

However, in a rulemaking proceeding, RM-11338, the FCC is currently entertaining the concept of changing the rules governing FM Translator Stations to permit the retransmission of the programming of AM Broadcast Stations over FM Translator Stations. This request seeks temporary authorization for Holston to use W249AH to rebroadcast the programming of WKTP(AM). Holston is simultaneously filing a separate request for an STA to use its new FM Translator Station W232BP, Kingsport, Tennessee to rebroadcast the programming of Holston's WKPT(AM), 1400 kHz, Kingsport, Tennessee.

As demonstrated by the map attached hereto, at present virtually all of the authorized predicted 60 dBu (3.16 mV/m) coverage contour of Station W249AH lies within the predicted 2 mV/m contour of WKTP(AM); pursuant to changes authorized by the Commission on August 9, 2007 in File No. BPFT-20070807AAU, W249AH's 60 dBu contour will be 100% within the 2 mV/m contour of WKTP(AM). Nevertheless, especially during nighttime hours and during a significant portion of the transitional period between daytime and nighttime propagation conditions on the "medium wave" (AM) band (which commence approximately two hours before local sunset and also exists for approximately the first two hours following local sunrise), WKTP(AM) is unable to deliver interference-free service even to its community of license due to interference from other stations occupying their respective AM channels and to a lesser degree due to interference from adjacent channel stations.

Like other AM stations operating with relatively low power levels, WKTP(AM) is also plagued both day and night by local man-made interference-producers including light dimmers, fluorescent lighting, television receivers, computers, razors, vacuum cleaners, microwave ovens, signals "egressing" from local cable television systems, and the like.

Interference from fluorescent lighting has increased exponentially in recent months as consumers turn to power-saving "screw in" fluorescent bulbs as economical longer-lasting direct replacements for conventional incandescent bulbs. The conventional incandescent bulbs consume much more electrical power; however they do not create electrical interference in the medium wave broadcast band as their fluorescent counterparts do. Holston notes that in Canada where most incandescent bulbs have been essentially banned by government decree, that same government is quickly granting permits allowing the movement of almost all domestic radio broadcasting from the AM band to the FM band.

Now it appears the U.S. is moving in the same direction. While interference-producing fluorescent replacements for conventional incandescent bulbs are already becoming popular in this country--not only in businesses, but in homes as well--to quote from the September 13, 2007, issue of the Wall Street Journal, "The House and Senate are working on legislation that over the next seven years would phase out the conventional light bulb..." (See a copy of the complete article attached.)

Fortunately as summer nears its end interference from lightning during severe thunderstorms lessens, but at the same time daylight hours grow shorter, and nighttime hours grow longer, with average sunset occurring around 5:15 PM in November and December and average sunrise coming at 7:30 in December and 7:45 in January.

WKTP(AM) operates 24 hours a day seven days a week, and carries programming of interest to Jonesborough and vicinity.

The conditions noted above deprive many listeners of the opportunity to hear a number of the station's primary daily local newscasts including extensive early morning local news coverage and their principal afternoon drive-time local newscast, which airs between 5:00 and 5:30 PM as well as evening local sports talk call-in programs, and local high school football and basketball broadcasts.

Absent the granting of the authority requested herein, many of WKTP(AM)'s regular listeners will again be deprived of the opportunity to hear its detailed coverage of election returns and other late-breaking news.

Station W249AH has been on the air since late 1978. No new interference will be created by the instant proposal. In our opinion, W249AH's carriage of WKTP(AM)'s programming will provide a much more significant public service because of the local news and sports programs carried on WKTP(AM) after dusk and before sunrise. An improvement in WRZK's signal a few years ago makes its continued use of W249AH far less important to the public than would be the use of W249AH by WKTP(AM).

The expense to accomplish the temporary changes requested herein will be nil.

Finally, Holston emphasizes that the proposed waiver is temporary in nature and will extend only until the Commission's final decision in RM-11338 becomes final.

It should be noted that Holston filed extensive Comments in RM-11338 and intends to file further pleadings in this matter now that the Commission has issued an official Notice of Proposed Rulemaking (NPRM).

Holston also agrees wholeheartedly with the position of the Tennessee Association of Broadcasters (TAB) in rulemaking proceeding RM-11338. In TAB's Comments it was urged that the Commission grant a "blanket waiver" of Part 74 of its rules in situations such as those posed by Holston herein. There will be no losers only winners should the Commission grant the special temporary authority herein requested.

As autumn nears, each day grows shorter, and each interference-filled night grows longer for the listeners of WKTP(AM). Please make this fall and the winter that follows the one where the loyal listeners of WKTP(AM) can listen to their favorite music and follow their favorite teams in the evening hours.

Finally, Holston notes that on April 30, 2007 the Commission granted a similar Special Temporary Authority to Holston for carriage of the programming of its WOPI(AM), Bristol, Tennessee-Virginia, on Holston's FM translator W249AK, Bristol, Tennessee in response to Holston's request filed on August 30, 2006. The circumstances of the instant request are essentially identical to those accompanying that previous request. Given its recognition of the merit of the previous request involving broadcast service in the Bristol area, Holston hopes the Commission will expeditiously consider the instant request.

Holston hereby certifies that no party to this request is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §853a.

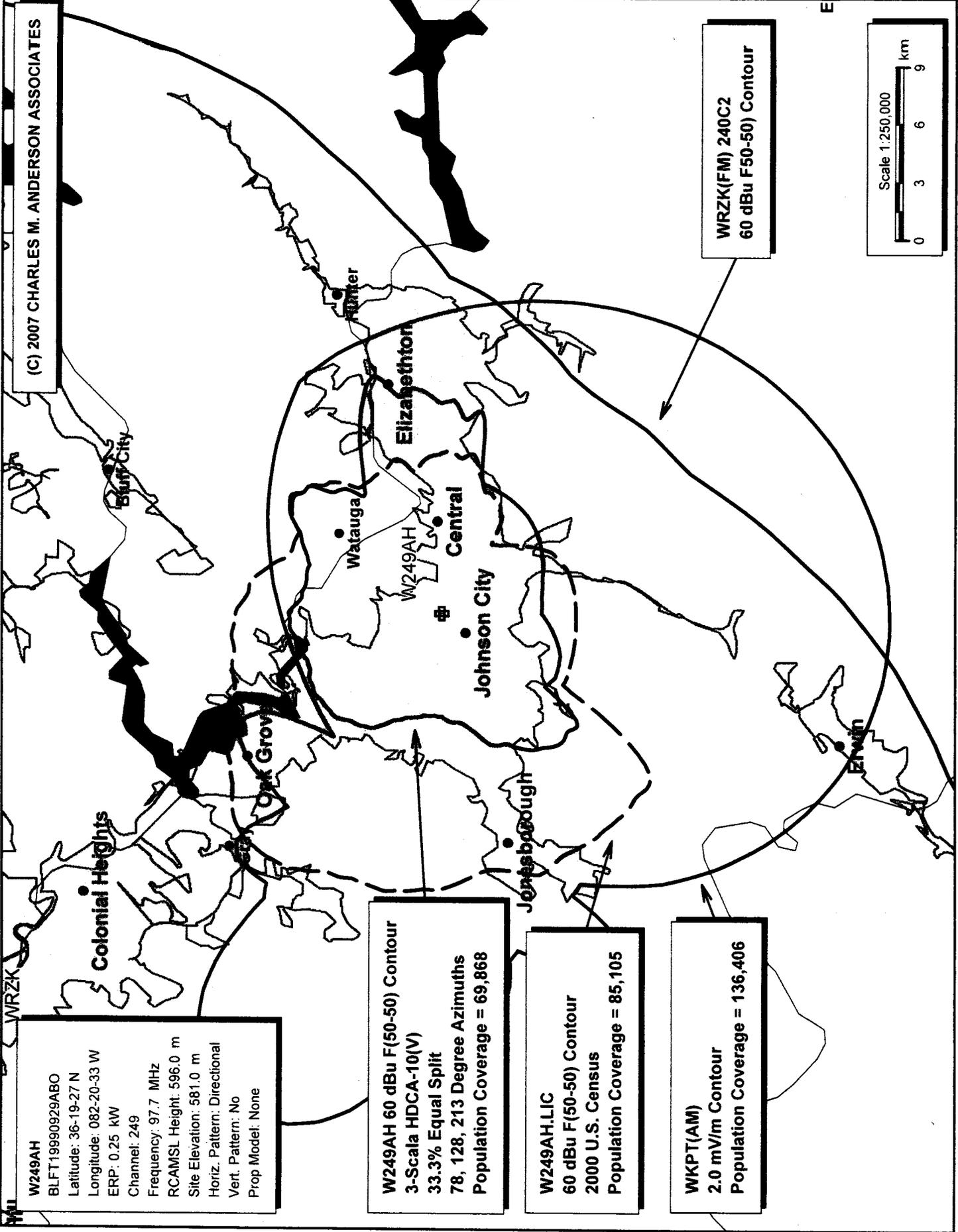
Should additional information be desired in connection with the above matter, kindly communicate with this office.

Very truly yours,



Dennis J. Kelly

# W249AH Minor Mod. 60 dBu Contour Plots



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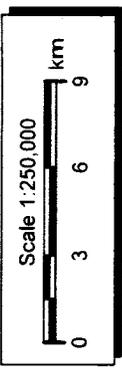
**W249AH**  
BLFT19990929ABO  
Latitude: 36-19-27 N  
Longitude: 082-20-33 W  
ERP: 0.25 kW  
Channel: 249  
Frequency: 97.7 MHz  
RCAMSL Height: 596.0 m  
Site Elevation: 581.0 m  
Horiz. Pattern: Directional  
Vert. Pattern: No  
Prop Model: None

**W249AH 60 dBu F(50-50) Contour**  
3-Scala HDCA-10(V)  
33.3% Equal Split  
78, 128, 213 Degree Azimuths  
Population Coverage = 69,868

**W249AH.LIC**  
60 dBu F(50-50) Contour  
2000 U.S. Census  
Population Coverage = 85,105

**WKPT(AM)**  
2.0 mV/m Contour  
Population Coverage = 136,406

**WRZK(FM) 240C2**  
60 dBu F50-50) Contour



# Lights Out for Old Bulbs? To

## U.S. Plans a Switch To All Fluorescents For Efficiency's Sake

By JOHN J. FIALKA  
And KATHRYN KRANHOLD

WASHINGTON—The House and Senate are working on legislation that over the next seven years would phase out the conventional light bulb, a move aimed at saving energy and reducing man-made emissions believed linked to climate change.

General Electric Co., Philips Electronics NV of the Netherlands and other manufacturers have been meeting with conservation and environmental groups and say they are close to agreement on the general terms of a phaseout. Bipartisan coalitions in Congress are likely to add these terms to a broad energy bill expected to be voted on next month.

While manufacturers voiced some concerns about producing enough bulbs to meet the new deadlines, they emphasized that they want prompt federal legislation that would prevent states from setting their own standards, creating a patchwork of differing requirements. Nevada has already set its own standard, and California is considering one.

Paul Waide, a policy analyst with the International Energy Agency, based in Paris, told the Senate Energy Committee yesterday that the European Union, Canada and Australia are planning similar phaseouts of conventional incandescent bulbs, and China is beginning to consider one.

"It is not inconceivable that over the next 10 to 15 years that maybe all incandescent lights will be removed from the global market," he said. If that happened, he added, the resulting reduction in carbon-dioxide emissions might equal almost three-fourths of the reductions that industrial nations have promised under the Kyoto Protocol to curb global warming.

The U.S., which has four billion electric lights using such bulbs, represents about a third

of the world market. Installing more-efficient incandescent or compact fluorescent bulbs would save consumers about \$6 billion a year in energy costs, said Jeffrey Harris, a vice president of the Alliance to Save Energy, a nonprofit group based in Washington.

Common incandescent bulbs, which have been around for more than 100 years, are able to convert only 5% of the electricity they use into visible light. The rest is lost as heat.

Under the timetable proposed in both House and Senate versions, incandescent bulbs would begin to disappear from U.S. markets beginning in 2012, with 100-watt bulbs going first, then 75-watt bulbs a year later and then the more popular 60- and 40-watt bulbs by 2014.

They would be replaced by compact fluorescent bulbs and more-efficient incandescent lamps, which can cut energy

*More-efficient bulbs could save consumers about \$6 billion a year.*

use from 30% to 75%. By 2020, both bills call for lighting standards that can only be met by the compact fluorescents or other technologies that can match their efficiency.

Manufacturers hope to use a few different technologies to meet the proposed standards, but they say it will be a challenge getting new lamps out by 2012, the proposed starting date. The manufacturers also had initially been looking for a longer phaseout period of five years instead of three.

Randy Moorehead, vice president of government relations for Philips Electronics, North America, said the industry mostly supports the phase-in period but has problems with the 2020 proposed standards. Mr. Moorehead said Congress should wait to set a 2020 standard to see where

### Long-Term Perspective

Compact fluorescent bulbs cost more to buy than comparable incandescent bulbs, but less to use

	75-watt fluorescent	60-watt conventional
Retail price	\$3.50	\$0.70
Lifetime hours	12,000	1,000
Lifetime cost*	\$18	\$9

\*Includes energy and maintenance costs. Based on the initial retail purchase price. Based on an electricity rate of \$0.101 per kilowatt hour.

Sources: Environmental Protection Agency, Department of Energy

the technology is headed. He said manufacturers will have to scrap new multimillion-dollar investments in equipment and employees to meet 2012 standards.

GE had announced a new energy-efficient incandescent lamp that will be 30% more efficient by 2012. GE plans to roll out the first version in 2010. GE indicated the bulb would likely be comparable to a 60-watt or 40-watt bulb. Osram Sylvania, a unit of Siemens AG, is also introducing an energy-efficient incandescent bulb.

Philips is unveiling a halogen light this fall that will be markedly more efficient and three times longer-lasting than incandescent bulbs—but will also be more expensive initially than compact and incandescent bulbs.

GE and the two other big light bulb makers, Philips and Osram Sylvania, also are looking at light emitting diodes, or LEDs, as new sources of residential lighting. "We'll certainly fill in any gaps with other technologies," says Earl Jones, senior counsel for GE's consumer-and-industrial unit.

Nearly all compact fluorescent bulbs are made in China. Although they cost more than conventional bulbs, the energy savings over their longer lifetimes are substantial. Noting that only 10% of bulbs sold in the U.S. are compact fluorescents, Kyle Pitsor, vice president of the National Electrical Manufacturers Association, said the industry will mount a public-education campaign to push the more efficient bulbs.

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