

PLUS FOURTEEN CHANNEL WAVER REQUEST

Applicant respectfully request a waiver of section 74.705 (b) (3) of the Rules, regarding applications that specify a site within UHF TV broadcast station's protected contour and proposes operation on a channel fourteen channel above the channel in use by the TV broadcast station. This waiver is requested because, notwithstanding the +14 relationship to WLMT, Memphis TN, the instant proposal will not cause any actual interference. Since W44BS is an existing facility merely seeking a minor change to improve service to its existing audience, a grant of this requested waiver is in the public interest.

WLMT operates with an ERP of 3.02 MW with a HAAT towards W44BS of 1,055.5ft. This results in field strength at the W44BS transmitter site of 103.5dBu. Section 74.706(d)(5) defines the D/U for +14 interference as -23 dB. In other words, W44BS will interfere with WLMT only where its field strength exceeds 126.5 dBu. With the parameters specified in this proposal, W44BS' 126.5 dBu contour goes out a maximum of 0.799 miles. W44BS' transmitter site is located in the NW corner of Memphis (some 20.8 km from WLMT's downtown transmitter site). As a result of this "edge of town" site location there is no meaningful population within 0.799 miles of W44BS' transmitter site. Accordingly, actual interference is unlikely to the point of being non-cognizable. This prediction is consistent with W44BS' current experience. W44BS has operated with a +14 relationship to WLMT at an ERP of 13Kw with no complaints of interference. In addition the small area (7.86 Square Km) is less than 0.05% of WLMT's 17,334 Square Km service area.

Accordingly, The Box World Wide L.L.C., respectfully request a waiver of the +14 taboo to permit a grant of its minor modification.