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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In re Application of:)
)
L4 MEDIA GROUP, LLC)
) File No. BDCCDTL-20110901AAG
For a Construction Permit for)
a new Digital Companion Channel)
(Facility ID#189853))
Louisville, KY)

TO: Chief, Media Bureau:

INFORMAL OBJECTION

WORD BROADCASTING NETWORK, INC., (“WORD”) by counsel, hereby files this Informal Objection to the above pending application to construct a Digital Companion Channel on Channel 21 in Louisville, KY (Proposed Facility ID#189853).

Standing

WORD has standing under 47 C.F.R. §73.3587 to object to the application. WORD is the licensee of WBNA-DT, (Facility ID# 73692), Louisville, KY, licensed to digital channel 8 and virtual channel 21, and is a facility affected by the proposed digital companion channel.

Argument

WORD objects to the proposed application as a digital companion channel to WBXV-CA, (Facility ID#70418)(Louisville, KY), which is a Class A status LPTV analog facility licensed to analog channel 13. WBXV-CA is currently off the air and has been, according to the FCC’s CDBS systems, since at least April 29th, 2010 for financial reasons, according to the STA

request filed under BLSTA-20100503AAJ. In accordance with applicable law, pursuant to the provisions of 47 USC §312 (g):

“(g) Limitation on silent station authorizations

If a broadcasting station fails to transmit broadcast signals for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary, except that the Commission may extend or reinstate such station license if the holder of the station license prevails in an administrative or judicial appeal, the applicable law changes, or for any other reason to promote equity and fairness. Any broadcast license revoked or terminated in Alaska in a proceeding related to broadcasting via translator, microwave, or other alternative signal delivery is reinstated. “

Pursuant to the foregoing provisions of the United States Code, WBXV-CA’s license was forfeited on April 29th, 2011. As there is no underlying analog facility to support a digital companion channel, the application for such digital companion channel should be dismissed.

Even if, *arguendo*, WBXV-CA had a valid analog license and was legally capable of applying for a digital companion channel, the proposed facility on digital channel 21 fails to meet the technical prerequisites and is defective as it proposes operation on digital channel 21 in Louisville, KY, which could create viewer confusion given that WBNA broadcasts as virtual channel 21 (its former analog position) in the Louisville market and the potential for “channel locking”¹ and interference arising from such proposed operation. The application fails to comply with the requirements incorporated into Section 73.682(d)² of the Commission’s rules.

¹ See *Letter from Barbara A. Kreisman, Chief, Video Division to James Koerner and Joseph A. Belisle* (July 20, 2010) DA-10-1342.

² 47 C.F.R. §73.682(d) (incorporated by reference, see §73.8000). Section 73.682(d) requires digital broadcast television signals to comply with ATSC A/65C (“ATSC Program and System Information Protocol for Terrestrial Broadcast and Cable, Revision C With Amendment No. 1 dated May 9, 2006”) (“ATSC A/65C”). Prior to the release of ATSC A/65C, Section 73.682(d) required compliance with ATSC A/65B: “ATSC Program and System Information Protocol for Terrestrial Broadcast and Cable,” (Revision B) 2003 (“ATSC A/65B”). Collectively the two standards will be referred to as the “PSIP Standard”. In particular, the application fails to meet the requirements

Conclusion

For the foregoing reasons, WORD submits that it would not serve the public interest, convenience and necessity to grant the application of L4 Media Group, LLC for a new digital companion channel for analog facility WBXV-CA and requests that the Commission dismiss the application pursuant to the applicable provisions of its rules.

Respectfully Submitted,

WORD BROADCASTING NETWORK, INC.

By: 

Anthony T. Lepore, Esq.
Its Attorney

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December 6, 2011

set forth in Section B.1.1 (Mandatory Requirements for Major Channel Number Values in the Range 2–69) of the PSIP Standard.

DECLARATION OF TOM FAWBUSH

I am the general manager of WBNA-DT, licensed to Word Broadcasting Network, Inc. I declare, under penalty of perjury, that I have reviewed the foregoing Informal Objection and the facts stated in the pleading are true and correct. I further declare that Word Broadcasting Network, Inc. is a party in interest in accordance with applicable Commission rules and policy for the purposes of this Informal Objection.

Dated: 11/28/11

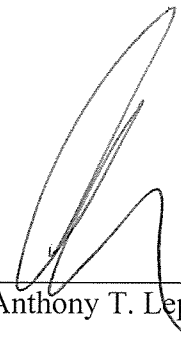
Signed Tom Fawbush
Tom Fawbush

CERTIFICATE OF SERVICE

I, Anthony T. Lepore, Esq. here certify that a copy of the foregoing "Informal Objection" was served this 6 day of December, 2011 by first class United States Mail, postage prepaid, upon the following:

L4 Media Group, LLC
60 Settlers Court
Chanhasson, MN 55317

Hossein Hashemzadeh
Video Division, Media Bureau
Federal Communications Commission
445 12th Street SW
Washington, DC 20554



Anthony T. Lepore, Esq.