

KXTV, Inc.
KXTV, Sacramento CA (Facility ID 25048)
Request for Extension of Special Temporary Authorization
FCC File No. BDSTA-20090629AAZ, extended BEDSTA-20091215AAC

REQUEST FOR EXTENSION OF SPECIAL TEMPORARY AUTHORIZATION

On behalf of KXTV, Inc. ("KXTV"), licensee of DTV television station KXTV, Sacramento, California, and pursuant to Section 73.1635 of the Commission's rules, this is a request for extension of Special Temporary Authorization ("STA") for KXTV to continue to operate pursuant to its existing STA, which authorizes operation of increased ERP for an interim time as KXTV considers options for effective operation for better quality service and signal coverage.

Background

On February 20, 2009, KXTV was granted an application for a Construction Permit ("CP") for maximized post-transition DTV facilities at 34.5 kW ERP (FCC File No. BMPCDT-20080620AMX). At the time of such grant, the requisite equipment for such operation had not yet been delivered, but KXTV's existing operation permitted the operation at 28.6 kW. Accordingly, KXTV filed an application for an STA on June 29, 2009 to authorize operation at 28.6 kW ERP. The STA was granted on June 30, 2009 and expired on December 30, 2009 (FCC File No. BDSTA-20090629AAZ). KXTV filed an application for an extension of this STA on December 15, 2009 (FCC File No. BEDSTA-20091215AAC). This extension was granted and will expire on July 6, 2010. With this extension request application, KXTV respectfully requests a further extension of the STA for the reasons outlined below. This progress report and analysis details the necessity for KXTV to consider alternative options from the operating parameters authorized by the CP in order to fully serve the public with better service and signal coverage.

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KXTV is currently prepared to build out to the higher, 34.5 kW power level authorized under the maximized CP, but in spite of FCC coverage projections, it has become apparent that even such maximized operation would leave KXTV far short of the service and signal coverage of all but one other broadcast television station in the Sacramento-Stockton-Modesto, California market. Accordingly, KXTV has been diligently pursuing several other operating options before committing to the power increase presently authorized by the maximized CP. To equal the service of all of the UHF stations in the Sacramento-Stockton market and thereby fully serve the market viewers, it will be necessary for KXTV to either apply for operation at a higher power at VHF than that authorized by the CP or move to a UHF channel. It is noteworthy that some other VHF broadcast television stations nationally have already applied for and received authorization to operate at higher power levels.

Further, KXTV respectfully requests that the Commission consider that KXTV's existing STA is indeed a step toward the maximized ERP of 34.5 kW authorized by the CP. Such operation presents no significant interference, improves KXTV's service slightly, and, absent an extension of this STA, KXTV would have no alternative but to revert back to its pre-maximization power level of 22 kW authorized by the original Construction Permit (filed for, but not yet licensed by the FCC) until the maximized CP is constructed, which would not serve or benefit the viewing public.

In detail:

1. KXTV's basic problem (which this STA ameliorates, albeit only slightly) is the now well-known coverage problem for DTV stations on high-band, VHF channels, especially to viewers surrounded by buildings in the metro areas and to indoor antennas in general. KXTV's present STA was originally conceived as a temporary, stopgap measure to improve its coverage as best it could with its installed equipment while proceeding to build out to the "maximized" power authorized by the maximization CP.
2. In progress toward that end, "maximization," KXTV now has a detailed plan for increasing its transmitter power to reach that 34.5 kW ERP level authorized by the maximization CP: KXTV has a quote from Harris Broadcast for retuning and repurposing additional amplifiers being held for the station at its affiliated television station in Denver, Colorado, KUSA. Further, KXTV has received quotes for the requisite electrical, HVAC, and other building work. However, as with the similar experiences of other VHF DTV stations all over the country, it becomes clearer every day that simple "maximization" to only the 34.5 kW level authorized by the maximization CP would surely be insufficient to adequately serve the Sacramento-Stockton-Modesto market with coverage equal to all of the UHF stations here.
3. Accordingly, KXTV is now considering and weighing options regarding the advisability of requesting at far more power than the maximized CP at VHF or to move to a new UHF channel. This is a significant decision requiring careful consideration of feasibility, funding, and benefit, so that KXTV is approaching this decision most thoroughly and carefully.
4. In studying all of its options for improved service and coverage, KXTV has (i) been actively involved with working with two consulting engineering firms (Cavell, Mertz & Associates, in Virginia; and Hammett & Edison, Inc. in San Francisco); (ii) commissioned and is analyzing the results of a UHF channel search; (iii) seriously considering engaging more extensive Longley-Rice studies; and (iv) considering receivers much closer to ground level (indoor antennas and mobile television) than are considered in the FCC allocation models. Further, KXTV is considering performing a study to determine the maximum power it might apply for at VHF, should that turn out to be the path of choice.
5. At the same time, there is some question as to whether some recent construction on KXTV's tower-top may have adversely affected the pattern of its transmitting antenna.

KXTV has received a total of three (3) quotes to mathematically model any possible pattern effects -- two from antenna manufacturers (Dielectric and Jampro) and one from an independent consulting firm (Hammett & Edison). KXTV has received two quotes for actual, on-the-ground, field-strength surveys, from two independent consulting firms (Hammett & Edison and Chip Morgan Broadcast Engineering. Further, KXTV has received one quote for an aerial, field-strength survey from Hammett & Edison, while continuing to seek an alternate provider for that study. KXTV may well include field-strength measurements of some reference UHF stations in these surveys to further assist in evaluating the presumed advantages of UHF.

6. Another option that KXTV is considering is the growing momentum of mobile television service. UHF is the preferred method of transmission for mobile service.

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Neither KXTV nor any party to this request is subject to denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a.