

The applicant seeks Special Temporary Authorization (STA) to increase the Effective Radiated Power (ERP) of WKEF(TV), Dayton, Ohio, from 138 kW to 515 kW, as described in its pending application for construction permit BPCDT-20090320AGS, while the station awaits the completion of coordination with Industry Canada. As shown in the attached Engineering Statement and study prepared by John E. Hidle of Carl T. Jones Corporation, the instant proposal is acceptable both internationally and domestically and will not cause any impermissible interference to any international or domestic facilities. Staff of the International Bureau of the FCC has confirmed that the proposed increase in ERP will not cause any impermissible interference to any Canadian TV facility and indicated that the International Bureau has no objection to a Media Bureau grant of the instant STA request. In addition, Media Bureau staff has determined that the proposed increase in ERP is acceptable domestically, and will not cause impermissible interference to any other domestic facility.

A grant of the instant request to increase the station's ERP is in the public interest because the station has been receiving a barrage of complaints ever since the June 12 DTV transition from viewers that cannot adequately receive the WKEF(TV) signal over-the-air. This is due to the fact that, as shown in the attached Field Strength Study conducted by Richard L. King, Senior Broadcast Engineer of WKEF(TV), the station's operations at only 138 kW are consistently at a lower level than any other television station in the market. Moreover, WKEF(TV)'s authorized ERP of 138 kW on channel 51 is 8.6 dB below the ERP of first adjacent Dayton station WDTN(TV) on channel 50, operating at a much higher power of 1000 kW. According to the attached Engineering Statement, it appears as if this large discrepancy in power levels is a contributing factor to the inability of viewers of Dayton to be able to receive the WKEF(TV) signal.

The attached letter from Dean Ditmer, General Manager of WKEF(TV), outlines the difficulties the station has been having since the transition and further demonstrates that there is good cause to grant the instant STA request. In order to ameliorate the continuing viewer complaints and the associated competitive harm that WKEF(TV) is suffering due to the inability of viewers to receive the station's signal, the applicant seeks only to be able, as soon as possible, to increase its ERP according to its pending application for construction permit while coordination with Industry Canada is ongoing. As noted, the International Bureau, the Media Bureau, and the attached Engineering Statement all establish that the proposed STA operations will not cause any impermissible interference to any international or domestic facilities. In the event of an interference complaint, applicant will immediately reduce WKEF(TV)'s ERP to a level that eliminates any such interference. Accordingly, the applicant respectfully requests STA to operate WKEF(TV) with an ERP of 515 kW until such time as Canadian concurrence is received.