

EXHIBIT 6  
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ALLOCATION CONSIDERATIONS

Beach TV Properties, Inc.  
Key West, FL

WCAY-LP, which is presently licensed to operate on Channel 34, has been granted a certificate of eligibility for Class A status. The presently licensed WCAY-LP operating facilities, however, fail to provide the required protection to a vacant DTV allotment on Channel 34 in Marathon, Florida. Pursuant to Footnote 151 of the Report and Order in MM Docket 00-10, this vacant DTV allotment was assumed to be operating nondirectionally with the maximum permitted facilities of 1000 kilowatts effective radiated power at 365 meters above average terrain. This results in a noise limited contour which encompasses the WCAY-LP transmitter site by a distance of 35 kilometers, making it impossible for WCAY-LP to provide the required protection to this vacant allotment while continuing to operate on Channel 34. Thus, it is not possible for WCAY-LP to obtain a Class A license for its presently licensed facilities. Accordingly, the attached application proposes to modify the WCAY-LP operating facilities, pursuant to Section 73.3572(a)(4)(ii) of the FCC Rules, to specify operation on Channel 33 in order to obtain a Class A license.

The proposed WCAY-LP Channel 33 operating facilities will provide the required contour protection to all analog TV broadcast stations requiring protection consideration pursuant to Section 74.705 of the FCC Rules. The proposed facilities will also provide the required protection to all LPTV, Class A TV, and TV Translator stations requiring protection consideration pursuant to Sections 74.707 and 74.708 of the FCC Rules. It should be noted that the 80 dBu contour for the proposed WCAY-LP facilities will overlap the 74 dBu contour for the facilities proposed in a pending "short form" application

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(BNPTTL-20000830BTV) for a construction permit for a new LPTV station on Channel 18 in Key West, Florida. While this would normally violate Section 74.707 of the FCC Rules, Section 73.3572(a)(4)(ii) of the FCC Rules excludes displacement applicants, such as WCAY-LP in this case, from having to provide any protection consideration to prior filed, but ungranted, applications for new LPTV stations. Thus, the failure to protect this pending new station application should not serve as an impediment to the grant of the attached displacement application.

The proposed WCAY-LP Channel 33 facilities will operate from a transmitter site located within the noise limited contour of a vacant DTV allotment on Channel 34 in Marathon, Florida, when, pursuant to Footnote 151 of the Report and Order in MM Docket 00-10, this vacant DTV allotment is assumed to be operating nondirectionally with the maximum permitted facilities of 1000 kilowatts effective radiated power at 365 meters above average terrain. Further studies were conducted utilizing the procedures outlined in FCC OET Bulletin 69 to evaluate the predicted interference to this vacant first adjacent channel DTV allotment from the proposed WCAY-LP operating facilities. These interference studies were conducted utilizing the FCC's "FLR" computer program modified to run on a Windows 98/Windows NT platform and recompiled under the Compaq (DEC) Visual Fortran compiler. The version of the "FLR" program utilized in conducting these studies employed the same 2 kilometer cell size as was employed by the FCC in conducting the initial DTV allotment studies. This implementation of the "FLR" program was run for several stations utilizing the databases employed by the FCC to generate the benchmark values contained in Appendix B of the December 18, 1998 Second Memorandum Opinion and Order on Reconsideration of the Fifth and

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Sixth Report and Orders and yielded results essentially identical to those found in Appendix B for these stations. Thus, it is felt that this implementation of the “FLR” program faithfully reproduces the results obtained by the FCC in their implementation of this program.

These interference studies assumed that this vacant allotment operates nondirectionally from the specified reference coordinates with the maximum permitted facilities of 1000 kilowatts effective radiated power at 365 meters above average terrain. In conducting these interference studies, interfering NTSC stations holding a construction permit were considered to be operating with their construction permit facilities, while interfering NTSC stations not holding a construction permit were considered to be operating with their licensed facilities. Interfering DTV facilities who have not yet filed a construction permit application and authorized or proposed interfering DTV facilities which are based on a checklist application were considered to be operating with their DTV allotment facilities. For interfering DTV facilities which have a pending maximization application or have been authorized operating facilities based on a maximization application, the maximized facilities were considered in these studies only if they reduced the DTV Service population below the value which occurs when the same station's DTV allotment facilities are considered.

The results of these studies are tabulated in Table 6.0. This table contains a complete listing of the stations which were included in the study and the facilities which were considered for each station included. They also contain the output of the “FLR” program both with and without the proposed WCAY-LP Channel 33 operating facilities.

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As shown by this data, the proposed WCAY-LP operating facilities are not predicted to cause any interference whatsoever to this vacant DTV allotment. Thus, the proposed WCAY-LP operating facilities comply with the applicable protection requirements to this vacant DTV allotment, pursuant to Section 74.706(d)(2)(ii) of the FCC Rules.

TABLE 6.0

OET 69 INTERFERENCE STUDIES  
MARATHON, FL  
(ALLOTMENT FACILITIES)  
Beach TV Properties, Inc.  
Key West, FL

STATION BEING STUDIED

<u>Call</u>	<u>Location</u>	<u>Chan- nel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
Allotment	Marathon, FL	34	DTV	Allotment	

STATIONS CONSIDERED IN STUDIES

<u>Call</u>	<u>Location</u>	<u>Chan- nel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
WTVX	Fort Pierce, FL	34	NTSC	Licensed	BLCT-19800624KF
WBFS-TV	Miami, FL	33	NTSC	Licensed	BLCT-19850125KE
WPXM	Miami, FL	35	NTSC	Licensed	BLCT-19921026KE
WUSF-DT	Tampa, FL	34	DTV	CP	BPEDT-19991217ACB
WCAY-LP	Key West, FL	33	NTSC	Applicant	

STUDY RESULTS WITHOUT PROPOSED WCAY-LP

	POPULATION	AREA (sq km)
within Noise Limited Contour	97409	33877.4
not affected by terrain losses	97409	33877.4
lost to NTSC IX	0	0.0
lost to additional IX by ATV	0	0.0
lost to ATV IX only	0	0.0
lost to all IX	0	0.0

STUDY RESULTS WITH PROPOSED WCAY-LP

	POPULATION	AREA (sq km)
within Noise Limited Contour	97409	33877.4
not affected by terrain losses	97409	33877.4
lost to NTSC IX	0	0.0
lost to additional IX by ATV	0	0.0
lost to ATV IX only	0	0.0
lost to all IX	0	0.0

TABLE 6.0(cont'd)

OET 69 INTERFERENCE STUDIES  
MARATHON, FL  
(ALLOTMENT FACILITIES)

SUMMARY OF STUDY RESULTS

	Without Proposed <u>WCAY-LP</u>	With Proposed <u>WCAY-LP</u>	<u>Increase/(Decrease)</u>
DTV Service	97,409	97,409	0
Percent Loss(Gain)*	0.00%	0.00%	0.00%

\*Percent Loss calculations are based on a benchmark DTV Service value of 97,409 from the above data.