

ACC Licensee, Inc.
WJLA-DT
Washington, DC
November 2009

Exhibit 36

ACC Licensee, Inc., permittee of WJLA-DT, Channel 7, Washington, D.C. (“**WJLA**”), by its undersigned attorney and pursuant to 47 C.F.R. Section 73.1510, hereby requests a 60 day extension of its experimental authorization to operate WJLA at 52 kW. This extension is necessary to allow WJLA to continue providing service to thousands of over-the-air analog viewers in the Washington market that lost access to ABC programming from WJLA following the digital transition on June 12, 2009. As discussed below, WJLA’s programming was restored to many of these viewers following the increase in WJLA’s to 52 kW.

Reception Problems Shortly After June 12th: WJLA was one of many stations that elected to return to its high-band VHF channel for post-transition digital operations. Almost immediately after WJLA discontinued analog operations on June 12, it received a flood of calls from unhappy viewers who were no longer receiving WJLA’s programming over-the-air. A number of problems raised by callers during the first few days were resolved by rescanning, antenna adjustments or replacements.

Notwithstanding these corrections, a large percentage of callers were still unable to receive WJLA’s over-the-air programming even after technical personnel from WJLA painstakingly walked viewers through multiple attempted solutions to restore reception. The number of viewers still complaining led WJLA’s technical personnel to suspect that the station had a problem with its received signal strength.

WJLA technical personnel conducted series of outdoor reception tests throughout the DC area in the first few weeks following the June 12th DTV conversion. WJLA had reception problems in areas that were an intermediate distance from its transmitter site, including Woodbridge, Warrenton, Chantilly and Leesburg in Virginia and Frederick, Germantown, La Plata and Brandywine in Maryland.

Testing Results: WJLA began testing the 52 kW ERP operation on or around September 14. WJLA engineers revisited the sites measured in June and found that the increased signal strength resulted in the reliable reception of WJLA's digital signal at six of the 11 sites tested in June. Two more sites acquired a picture but had periodic pixilation. No picture was available at three of the sites.

As indicated in the Engineering Statement submitted with the initial application for an experimental authorization, WJLA's 52 kW ERP operation complied with the FCC's 0.5 percent de minimis interference standard except in two instances – WGAL(TV), channel 8, Lancaster, PA and WHRE(TV), channel 7, Virginia Beach, VA. Both stations consented to the excess incremental interference with WHRE requesting advanced notice of WJLA's testing.

WJLA conducted testing in areas where interference was predicted to both WGAL and WHRE. WJLA found that the signal strength of both desired stations (WGAL or WHRE) at the interference locations was not strong enough for a reliable picture. In fact, WHRE did not register any signal at all of the predicted interference areas tested. Moreover, at the WHRE measurement locations, WJLA could NOT measure any signal on channel 7 when the station was operating with an ERP of 30 (authorized construction permit power) or 52 kW.

Conclusion: For all these reasons, ACC submits that the instant request for an extension of WJLA's experimental authorization is in the public interest and should be granted. Given the

Commission's stated concerns about maintaining post-transition digital service to viewers that enjoyed analog over-the-air service prior to June 12th, WJLA's experimental authorization should be renewed because it has restored over-the-air service to many analog viewers that had lost television service. Most importantly, Importantly, WJLA's over-the-air service has been restored without causing harmful interference to either station predicted to receive interference in excess of the Commission's 0.5 percent *de minimis* interference standard.