

Engineering Statement and Interference Analysis

This is an application for a digital displacement application for KHTV-LP, licensed on channel 48 in Inland Empire, CA, Facility ID 60026, FCC File No. BLTTL-20010507AAM, to operate on digital channel 44.

Displacement

KHTV-LP has been serving southern California viewers for more than fourteen years. The station originally went on the air in April 1999 on channel 38, see FCC File No. BLTTL-19990404DJ. In May 2001, KHTV-LP was displaced by KPXN-DT in San Bernardino, CA, Facility ID 58978, and moved to channel 48, see FCC File No. BLTTL-20010507AAM. In May 2003, KHTV-LP was displaced off of channel 48 by the operation of full power digital television station KOCE-DT in Huntington Beach, CA, Facility ID 4328. Since then KHTV-LP has remained silent until it commenced operation on channel 67 in October 2004 pursuant to a special temporary authority, see FCC File No. BSTA-20040914AGD.

In 2004, KHTV-LP applied for a digital companion channel on channel 46 in Los Angeles, CA, see FCC File No. BDCCDTL-20061030ARX. That application was dismissed pursuant to FCC letter dated November 11, 2007 (1800E1-MFC). A Petition for Reconsideration was filed on January 7, 2008 and subsequently denied pursuant to FCC letter dated June 4, 2008.

On May 28, 2008 KHTV-LP filed a digital displacement application to move from analog channel 48 to digital channel 5, see FCC File No. BDISDVL-20080528AFZ. In light of the fact that XHAQ-TV is operating as a full power analog television station on channel 5 in Mexicali, Baja California, Mexico, it is unlikely that the Mexican authorities will not object to the grant of BDISDVL-20080528AFZ. In order to expedite the construction of KHTV-LP's digital facilities before the February 17, 2009 transition deadline, the Applicant

proposes instead to operate KHTV-LP on digital channel 44 pursuant to the technical parameters specified in this instant application and simultaneously for the grant of this instant application requests the Commission to dismiss BDISDVL-20080528AFZ.

TV Broadcast Analog System Protection

The proposed operation causes less than 0.5% interference to surrounding analog assignments and allotments (i.e., “*de minimis*”). It is believed that the proposed operation is in compliance with the spirit and intent of the FCC’s interference standards. If necessary, a waiver of the FCC rules is respectfully requested for this allocation study based on use of the OET-69 procedures.

Digital TV Station Protection

The proposed operation causes less than 0.5% interference to surrounding digital assignments and allotments and facilities (i.e., “*de minimis*”). It is believed that the proposed operation is in compliance with the spirit and intent of the FCC’s interference standards. If necessary, a waiver of the FCC rules is respectfully requested for this digital allocation study based on use of the OET-69 procedures.

Class A, Low Power TV and TV Translator Station Protection

The proposed operation causes less than 0.5% interference to surrounding low power assignments and allotments (i.e., “*de minimis*”). It is believed that the proposed operation is in compliance with the spirit and intent of the FCC’s interference standards. If necessary, a waiver of the FCC rules is respectfully requested for this low power allocation study based on use of the OET-69 procedures.

The Applicant hereby requests a waiver of Sections 74.709, 74.793(e), 74.793(f), 74.793(g), 74.793(h), 74.794(b) and 73.1030 and other applicable parts of the Rules and Regulations of the Federal Communications Commission that is deemed necessary in order to allow for the grant of this instant application.