

Engineering Statement, Interference Analysis & Waiver Request

This technical statement supports this application to make changes in W55DK on channel 55 in Port Jervis, NY. FCC File No. BMPTTL-20070131AGR, Facility ID 130477.

This amendment is filed in response to FCC letter dated February 8, 2007 (1800E3-JCF). The proposed facility is completely enclosed by the existing authorized construction permit and does not propose to provide any service to any area served by a television station licensed to New York, Wilkes-Barre or Scranton. See *Attachment A*.

In the granted application as amended for this facility (FCC File No. BNPTTL-20000831CEY) a waiver request which included Longley Rice analyses that demonstrated Port Jervis does not receive any over the air service from any television station serving New York, Wilkes-Barre or Scranton. A similar waiver request is attached as *Attachment B*. Included in *Attachment C through M* are maps showing the lack of coverage from all of the New York, Wilkes-Barre or Scranton stations as calculated by Longley Rice methodologies.

The proposed channel 55 facilities were studied using the Techware's tv_process_dlptv software on a Sun Blade 1500. The study performed a Longley-Rice study in accordance with FCC rules 74.705, 74.706 and 74.707.

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 analog allocation study based on use of the OET-69 procedures, and all possible variance from FCC rules.

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, and all possible variance from FCC rules.

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 applications (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, and all possible variance from FCC rules.

This application does not cause any predicted interference to any of the other proposals. To the degree it is deemed necessary, the applicant requests a waiver of Section 74.705, 74.706, and 74.707 and other applicable parts of the Rules and Regulations of the Federal Communications Commission in order to allow for the grant of this instant application.