

Request for Approval of Commencement of Post-Transition DTV Operation

Station WCIQ, Mt. Cheaha, AL (Facility ID No. 711)

Alabama Educational Television Commission (“AETC”) hereby requests approval to commence post-transition DTV service for noncommercial educational television station WCIQ, DTV Channel 7, Mt. Cheaha, AL (“WCIQ”) at approximately noon on **February 17, 2009**. A special operating condition in the construction permit for WCIQ’s post-transition DTV facility in FCC File No. BMPEDT-20080619AHA states that the station is not to commence operation pursuant to the permit prior to February 17, 2009 – *or such other date as the Commission may establish in the future* – without prior Commission approval. Accordingly, and pursuant to the procedures announced by the Commission in its Public Notice regarding termination of analog service, AETC seeks Special Temporary Authority (“STA”) to commence post-transition DTV Channel 7 operation of WCIQ under the station’s construction permit at approximately noon on February 17, 2009.⁶

The Public Notice states that a station seeking to commence post-transition operation on February 17, 2009 using a digital facility that differs from its pre-transition facility must comply with the requirements set forth in the *Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*.⁷ Specifically, a station must demonstrate that it will (1) not cause impermissible interference to any authorized analog or pre-transition digital station; (2) maintain at least its current digital service; and (3) commence full, authorized post-transition operation on the transition deadline.⁸

Operation of WCIQ’s post-transition digital facility will comply with the requirements set forth in the *Third Periodic Review*. First, post-transition operation of WCIQ not cause impermissible interference to any other stations.⁹ Second, WCIQ’s post-transition digital facility will provide at least the same level of service as currently provided by the station’s existing pre-transition digital facility.¹⁰ Finally, post-transition operation of WCIQ will ensure that the station complies with the final deadline for the commencement of full, authorized post-transition service. Indeed, WCIQ’s full, authorized post-transition DTV service obligations will be met immediately upon commencement of operation of the facilities specified in FCC File No. BMPEDT-20080619AHA.

AETC submits that commencement of WCIQ’s post-transition DTV service on February 17, 2009 will also serve the public interest. Operation of WCIQ’s post-transition digital facility will not result in a loss of service to viewers. Instead, post-transition digital operation of WCIQ

⁶ See *FCC Announces Procedures Regarding Termination of Analog Television Service On or After February 17, 2009*, Public Notice, FCC 09-6 (Feb. 5, 2009) (the “Public Notice”).

⁷ See *id.*; Report and Order, MM Docket No. 07-91, FCC 07-228 (Rel. Dec. 31, 2007), at ¶ 121, et seq.

⁸ See Public Notice.

⁹ See Engineering Statement.

¹⁰ See *id.*

will allow the station to continue to serve its existing viewers after the termination of its analog service. Moreover, digital operation of WCIQ's post-transition DTV service on February 17, 2009 will allow the station to transition to post-transition digital operation concurrently with the other television stations in AETC's statewide network.

AETC has notified the Commission of its intent to terminate analog service for WCIQ on February 17, 2009. Thus, commencement of WCIQ's post-transition DTV service on that date will allow the station to transition to post-transition digital operation with the least amount of disruption to viewers, and ensure a consistent transition across all of the television stations in AETC's statewide network.

AETC is a state governmental entity and operates WCIQ on a noncommercial educational basis. The licensee is therefore exempt from FCC filing fee requirements, pursuant to Section 1.1114 of the Commission's Rules, and the facility is exempt from FCC regulatory fees, pursuant to Section 1.1162 of the Rules.