

REQUEST FOR TEMPORARY AUTHORITY TO OPERATE A MULTICAST DIGITAL
SIGNAL WITHOUT A STATION IDENTIFICATION PENDING DELIVERY OF NEEDED
EQUIPMENT AND SUPPORTING PUBLIC INTEREST SHOWING

KETH-DT, Houston, Texas, licensed to Community Educational Television, Inc., has been planning for months to inaugurate a new 24-hour per day, 7-days a week, children's television program service known as "Smile of a Child." The Smile of a Child service is the fifth digital program service for the digital multicast service KETH broadcasts free-to-the-home. It is the final addition to the station's network service provided by the Trinity Broadcasting Network (TBN), and with its availability KETH is now able to provide five compelling and distinctive noncommercial, cultural, educational and informative services to the viewing public: 1) the digital simulcast of the local analog signal; 2) the "JCTV" service offering new and unique programming designed for teenagers and young adults; 3) the "TBN Enlace" service providing educational, cultural, inspirational, and family-oriented programming for Spanish speakers; 4) "The Church Channel" service consisting of the most compelling church and religious services throughout the country from virtually every denomination and church expression available; and 5) the Smile of a Child children's television service.

The station has carefully planned and promoted the launch of this final digital service to coincide with Christmas Eve, and it has a rich offering of special children's programs planned for that night. Unfortunately, as the necessary equipment and computer system installations were being completed this week, it was learned that the character generator needed to provide the station identification pursuant to Commission Rule 73.1201 was not included. This critical equipment was timely ordered with all other equipment needed to provide this fifth multicast channel. This order was placed through TV Magic, a system integrator which relied upon the manufacturer, Key West Systems, to provide this vital component.

TV Magic was immediately notified of this failing when it was realized. TV Magic and Key West Systems are attempting to expeditiously get the missing equipment delivered, but they have informed TBN it may take until the end of the week of December 26, 2005 before the needed character generators arrive. KETH will expeditiously install the needed equipment upon arrival, and is hopeful this process can be completed by New Year Day, January 1, 2006.

In the interim, KETH is respectfully requesting special temporary authority for a period of up to thirty (30) days, until January 22, 2006, to operate the Smile of a Child digital service without a station identification. Grant of this request is in the public interest because the Smile of a Child service will provide unique children's television programming 24/7. This will help fulfill and further the objectives and goals of the Children's Television Act of 1990 and the Commission's implementing policies. *Children's Television Obligations of Digital Television Broadcasters*, 19 FCC Rcd 22997 (2004)

Grant of this request will also make new and previously unavailable programming available, which greatly aids in helping move the nation's transition to digital-only broadcasting. Indeed, the advancement of *third wave* uses, including multicast services, have been a central objective in the digital conversion mandate for many years. *See, e.g., Upper 700 MHz MO&O and FNRPM*, 15 FCC Rcd 20845, 20870-71 (2000); *Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, 16 FCC Rcd 5946 (2001); *on recon.*, 16 FCC Rcd 20594 (2001); *Second Report and Order and Second Memorandum Opinion and Order*, 17 FCC Rcd 15978 (2002); *Third Memorandum Opinion and Order on Reconsideration*,

17 FCC Rcd 18571 (2002); and *Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, 18 FCC Rcd 1279 (2003).