

ENGINEERING STATEMENT

Kevin O’Kane

October, 2002

Kevin O’Kane (“O’Kane”) is the licensee of W12BZ, Rome, NY. O’Kane filed a minor change application (BPTVL-20010711ADT) to increase the Effective Radiated Power of W12BZ to 3 kW ERP. Since the time of that application, WNYT, Albany, NY, has successfully had its DTV allotment changed from channel 15 to channel 12. As WNYT is located only 136 km, its imminent operation on channel 12 will cause significant interference to W12BZ both as it presently operates and with the proposed power increase. Further, since W12BZ is 124 km. less than the minimum 260 km. distance to a co-channel DTV allotment stated in 73.3572(a)(4)(iv)(A)(3) of the Commission’s Rules it well qualifies for displacement relief.

It is now proposed to operate on channel 14 from a different site. The requested parameters for operation on the new channel and site would have qualified as a “minor change” under the displacement policy in the filing of original FCC Form 346 for the modified facilities of W12BZ. In the interest of expediency and efficiency, it does not make sense to make the change in a two-step manner (dismissing and reapplying, or granting the original application and then modifying the CP). Since the application has not yet been placed on a proposed grant list, it is proposed to amend the pending application with the facilities that could have been requested in the original 346 application. This would allow for the processing and issuing of a CP to be forthcoming that much sooner and for the actual construction to take place more quickly to avoid the

interference from WNYT-DT that would be expected with the present channel 12 facilities.

A study was performed to determine that no interference would be created from implementation of the proposed facilities. In Figure EE, standard FCC contours were used in the case of stations including: WMFP-DT, Lawrence, MA, WMHT, Schenectady, NY, WNPI, Norwood, NY, WETM, Elmira, NY, WVTB, St. Johnsbury, VT, and CICO, Peterborough, ON. However, for the following stations: WUVN, Hartford, CT, WMBC-DT, Newton, NJ, WIXT-DT, Syracuse, NY, WNDR-LP, Syracuse, NY, and WSYT-DT, Syracuse, NY, Longley-Rice studies are included to show lack of prohibitive interference. It is requested to use Longley-Rice as an alternative means of depicting a lack of interference. The computer program Probe II (ver. 2.91) from V-Soft Communications was used for the study.

In summary, a change for W12BZ from channel 12 to channel 14 will insure that there will be a minimal disruption to the station's operations and that service to the public will be able to continue without interference.