

## EXHIBIT 21

**WCTI-TV**, New Bern, North Carolina  
Facility ID: 18334

WCTI-TV, New Bern, North Carolina (the “Station”) respectfully requests Special Temporary Authority (“STA”) to operate with facilities at variance from those authorized by the Station’s construction permit (*see* FCC File No. BMPCDT-20090619ABD). The Station has filed an application for license to cover the facilities specified by the construction permit (*see* FCC File No. BLCDDT-20090622ADO). The Station seeks authorization to operate with an effective radiated power (“ERP”) of 38.7 kW. Although this ERP would exceed the benchmark power level established by Section 73.622(f) of the Commission’s rules (47 C.F.R. § 73.622(f)), grant of the requested relief would be in the public interest and consistent with the Commission’s rules.

Since its transition to final digital operations on June 12, 2009, the Station has received numerous reports from viewers of reception problems with respect to the Station’s digital signal. The Station’s pre-transition digital operations were on channel 48, a UHF channel, but its final digital operations are on channel 12, a VHF channel.<sup>1</sup>

A rule waiver “is appropriate if special circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the general rule.”<sup>2</sup> First, special circumstances warrant a deviation from the power limit specified in § 73.622(f) because the Station’s actual coverage is severely limited due to the unique characteristics of the VHF spectrum. The Station believes that increased power would enable it to overcome its recent coverage difficulties and provide a more robust digital television signal to the public. Second, strict adherence to § 73.622(f) would deprive a significant number of viewers of the free, over-the-air television service that they used to receive. “It is a priority of the Commission that all Americans continue to receive the television broadcast service that they are accustomed to receiving following the digital transition.”<sup>3</sup> Finally, the Station notes that the facilities specified in this request for STA would not cause excessive interference to other television stations. The Station respectfully submits that a waiver is warranted in these special circumstances and asks that the FCC grant this request for STA.

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<sup>1</sup> Press reports indicate that many stations that have moved their digital operations from UHF to VHF channels are experiencing this problem. *See, e.g.,* Glen Dickson, “DTV: A Few Tweaks Left,” *Broadcasting & Cable* (June 20, 2009) (noting that “many of these stations were received reliably on their former UHF assignments but are now hard for viewers to find, even for those with an adequate UHF/VHF antenna”).

<sup>2</sup> *Douglas-Omaha Tech. Comm’n*, 21 FCC Rcd 9277 at para. 5. *See also* *WAIT Radio v. FCC*, 418 F.2d 1153, 1157 (D.C. Cir. 1969); 47 C.F.R. § 1.3 (providing for waiver of FCC rules “for good cause shown”).

<sup>3</sup> *See Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Replacement Digital Low Power Television Translator Stations*, Notice of Proposed Rulemaking, 23 FCC Rcd 18534, at para. 3 (2009).