



**DEPARTMENT OF INFORMATION
TECHNOLOGY AND TELECOMMUNICATIONS**

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PAUL COSGRAVE
*Commissioner
Chief Information Officer*

DAVID A. BERMAN
*Media and Information
Technology Counsel*

August 11, 2008

Mark Denbo, Esq.
Fleischman and Harding LLP
1255 23rd Street, N.W.
Eighth Floor
Washington, D.C. 20037

Re: Letter of No Objection to WASA-LD Application

Dear Mr. Denbo:

Based on the information your client, Venture Technologies Group, licensee of WASA-LP, has provided concerning your contemplated application to amend the construction permit ("CP") of digital low power TV station WASA-LD, Channel 25, which will be licensed upon construction to Port Jervis, New York ("WASA-LD"), to increase the power of its planned transmitter facilities at the Four Times Square building in Manhattan to 15 kW ERP and 2.63 kW Transmitter Output Power, and your representation that WASA-LD will in no event commence operations or program tests prior to February 18, 2009, or such later date as WNYE-TV/DT, New York, New York ("WNYE"), discontinues analog broadcasting on Channel 25 as required by the Communications Act in connection with the final digital transition, the New York City Department of Information Technology & Telecommunications ("DoITT"), as the licensee of WNYE, does not object to a grant of WASA-LP's contemplated application, on the conditions that:

- (1) WASA-LD, in any application to modify its CP to move to the Four Times Square building, agrees that, in light of WNYE's major channel PSIP status as Channel 25, WASA-LD's lower-power digital television operations on Channel 25 at Four Times Square constitutes a situation under which a digital lower power station must become compliant with the PSIP navigational requirements of 47 CFR § 73.682(d) within the meaning of *Amendment of Parts 73 and 74 of the Commission's Rules*, Report and Order,



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19 FCC Rcd 19331, 19412-13 (¶ 243) (2004), and that WASA-LD will implement PSIP so that WASA-LD's major channel number in the PSIP information in its digital signal from Four Times Square is at all times a channel other than Channel 25 and the Virtual Channel Table it transmits lists a channel number other than Channel 25 for WASA-LD; and

- (2) WASA-LD agrees in its application that it will not cause interference to the reception of WNYE's signal, except to the extent, and only to the extent, permitted by the rules, regulations and policies of the FCC, and that WASA-LD will accept interference from WNYE's analog or post-transition DTV operations.

Should either of these conditions not be satisfied, this Letter of No Objection shall be void, and WNYE reserves all of its rights with respect to WASA-LD's application.

This No Objection letter is based on your statement that, as a digital LPTV permittee, and pursuant to this letter, you will abide by the timetable set forth in the first paragraph of this letter for commencement of digital transmissions by WASA-LD, even if that timetable exceeds the length of your FCC digital construction permit, resulting in its expiration.

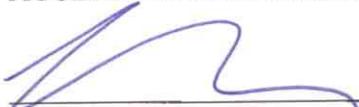
Please indicate your agreement with the above by having your client countersign this letter in the space provided below, and returning an original to me.

Sincerely,



David A. Berman
Media and Information Technology Counsel
NYC Department of Information Technology and Telecommunications

ACCEPTED AND AGREED



Lawrence Rogow, Chairman
Venture Technologies Group, LLC
Permittee of WASA-LD, Channel 25, Port Jervis, NY

