

Larry H. Will, P.E.

Broadcast Engineering

1055 Powderhorn Drive
Glen Mills, PA 19342-9504

PH (610) 399-1826
E-Mail lhwill@verizon.net

SONSHINE FAMILY TELEVISION CORPORATION

LICENSEE OF WBPH-DT

DTV CHANNEL 9

BETHLEHEM, PENNSYLVANIA

FAC ID# 60850

**FCC FILE # FCC FILE # BLCDT-20060609AAH
BLCDT-20100907AAF (Pending)**

**APPLICATION FOR A NEW MINOR CP TO INCREASE ERP AND TO
CHANGE DIRECTIONAL ANTENNA PATTERN**

**COVERAGE, INTERFERENCE, CANADIAN PROTECTION, AND
WAIVER REQUEST - EXHIBIT 47**

April 25, 2011

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FACILITIES REQUESTED

Sonshine Family Television Corporation (SFTC) is filing this application to request authority for a new CP for WBPH-DT (BPCDT-20100105AAH) to change ERP and to change directional antenna pattern. The proposed facilities continue to fully meet the Rules regarding coverage of the City of License.

This office, with assistance from MSW, Inc., has completed a Longley-Rice analysis of the proposed digital operation on TV Channel 9 with an ERP of 120 kW directional and that study shows that no prohibited interference will occur to any other authorized or pending full service and LPTV analog or digital station as required by parts 73 and 74 of the commission's rules except for co-channel station WUSA-TV Washington, DC and for adjacent channel stations WNJB-DT, Channel 8, New Brunswick, NJ and WGAL, Channel 8, Lancaster, PA. The results of the latest Longley-Rice study are included herein.

Since early in 2009, SFTC has been in discussions and negotiations with New Jersey Public Broadcasting Authority (NJPBA), permittee of WNJB-DT, Channel 8, New Brunswick, NJ, with the Detroit Free Press, Inc., (DFP), Licensee of WUSA-DT, Channel 9, Washington,

DC, and with Hearst-Argyle, Licensee of WGAL, Channel 8, Lancaster, PA with the intent to complete interference agreements between the parties to rectify the difficulties with complete replication of analog facilities and mitigate poor indoor reception by the several stations. The parties have completed all testing and legal matters that would permit favorable action on this application pursuant to Section 73.623(g) of the rules¹.

CANADIAN PROTECTION

WBPH-TV currently has been previously coordinated with Canada at 80.6 kW ERP (DA) with a main lobe oriented to 70 degrees True. As shown in Figure 2 attached hereto shows that the proposed operation of WBPH-DT at 120 kW (DA) results in the 13.4 dBu F(50,10) contour, which is equivalent to the Canadian 19.5 dBu F(10,10) contour to be such as to not penetrate into Canadian territory at any point.

Thus the revised proposed operation of WBPH-DT at 120 kW (DA) fully complies with the requirements of both channel spacing and interference contour protection requirements of Appendix 2 of the US-Canada L.O.U. and the applicant believes that further coordination with Canada is not required in this instant case.

WAIVER OF 73.622(f)(7) AND REQUEST FOR PROCESSING UNDER 73.622(f)(5)

WAIVER OF 73.622(f)(7) IF REQUIRED

73.622(f)(7) limits the maximum power permitted in Zone 1 on channels 7-13 to 30 kW at 305 meters HAAT or less. However, we request processing under 73.622(f)(5) which applies in the instant case. We do not believe a waiver of 73.622(f)(7) is required in this case but if the Commission determines that a waiver is required, we hereby request said waiver and a waiver of any other rule the Commission deems necessary.

¹ The last and final SFTC Agreement with Hearst-Argyle was completed on April 15th, 2011 and is included herein. Hearst-Argyle has filed an application to increase ERP to 59 kW, which the above referenced Agreement covers.

73.622(f)(5) states:

(5) Licensees and permittees assigned a DTV channel in the initial DTV Table of Allotments may request an increase in either ERP in some azimuthal direction or antenna HAAT, or both, that exceed the initial technical facilities specified for the allotment in Appendix B of the Memorandum Opinion and Order (referenced in paragraph (c) of this section), up to the maximum permissible limits on DTV power and antenna height set forth in paragraph (f)(6), (f)(7), or (f)(8) of this section, as appropriate, or up to that needed to provide the same geographic coverage area as the largest station within their market, whichever would allow the largest service area. Such requests must be accompanied by a technical showing that the increase complies with the technical criteria in Sec. 73.623(c), and thereby will not result in new interference exceeding the de-minimis standard set forth in that section, or statements agreeing to the change from any co-channel or adjacent channel stations that might be affected by potential new interference, in accordance with Sec. 73.623(f). In the case where a DTV station has been granted authority to construct pursuant to Sec. 73.623(c), and its authorized coverage area extends in any azimuthal direction beyond the DTV coverage area determined for the DTV allotment reference facilities, then the authorized DTV facilities are to be used in addition to the assumed facilities of the initial DTV allotment to determine protection from new DTV allotments pursuant to Sec. 73.623(d) and from subsequent DTV applications filed pursuant to Sec. 73.623(c). The provisions of this paragraph regarding increases in the ERP or antenna height of DTV stations on channels in the initial DTV Table of Allotments shall also apply in cases where the licensee or permittee seeks to change the station's channel as well as alter its ERP and antenna HAAT. Licensees and permittees are advised that where a channel change is requested, it may, in fact, be necessary in specific cases for the station to operate with reduced power, a lower antenna, or a directional antenna to avoid causing new interference to another station. (Emphasis added).

WBPH-DT is located in the Philadelphia, PA ADI. WBPH-DT was assigned a digital channel (Channel 59) in the initial Table of Allotments and thus is qualified under the provisions

of 73.622(f)(5)². WBPH-DT is already approved for 80.6 kW at 304 meters HAAT and has a covering License application on file (BLCDDT-20100907AAF). An engineering study is included in Exhibit 47 herewith showing that the proposed modified operation of WBPH-DT from 80.6 to 120 kW at 304 meters HAAT will not cause impermissible interference to any other facility as required by 73.623(c) that isn't agreed to by an Interference Agreement.

A review of existing DTV licensees and granted Construction Permits has shown that WPVI-DT, FCC ID# 8606, is the largest station in the Philadelphia television market³. WPVI, Channel 6 DTV, upon returning to its analog channel on June 16, 2009, was, after a modification, authorized an ERP of 7.56 kW at 332 meters HAAT (File No. BPCDDT-20080208ADW). The current WPVI-DT Construction Permit (BPCDDT-20090617ADQ) has a 28 dBu F(50,90) service area of 45,510 square kilometers. As is well known by the commission staff, immediately upon commencing DTV operation at 7.56 kW, the Licensee of WPVI-DT was flooded with calls and emails complaining that the signal was no longer receivable in many areas throughout their DMA⁴. WPVI-DT applied for and quickly received an STA to increase power to 30.2 kW and continues to operate at that power level pending approval of CP BPCDDT-20090617ADQ.

Under the terms of BPCDDT-20100105AAH, WBPH-DT, Channel 9, 36 dBu F(50,90) approved service area is 36,578.7 square km, still not up to that of WPVI-DT.

SFTC is now requesting to operate with a modified directional pattern, with 120 kW ERP, and an HAAT of 304 meters. This combination results in a total FCC F(50,90) 36 dBu service area of 40,587.9 square km.

² The undersigned is aware of at least three precedents for this request, and there may be others. See grant of application of WHRE-DT, Facility ID# 82574, Virginia Beach, VA, Zone 1, BMPCDDT-20080821ADP, granted on June 25, 2008, and for WBPH-DT, Facility ID# 60850, Bethlehem, PA, Zone 1, BMPCDDT-20100105AAH, granted on August 27, 2010.

³ The original WPVI-TV analog facility covered 33,267.4 sq km, the first WPVI-DT CP at 5.4 kW covered 33,181.9 sq km, and the WPVI-DT granted STA and current CP with 30.2 kW covers 45,570.1 sq km.

⁴ See pleadings in association with the WPVI-DT STA request for 30.2 kW, FCC File No. BLDSTA-20090619ABQ, granted on June 19, 2009, and the WPVI-DT application for CP, BPCDDT-20090617ADQ, granted March 16, 2011.

PUBLIC INTEREST SHOWING

The requests by DFP to increase the facilities of WUSA-DT from 12.6 to 52 kW, Hearst-Argyle to increase the facilities of WGAL from 32.2 to 59 kW, and by NJPBA to increase its facilities from 21.72 kW to 40.82 kW⁵ are actually better served for all parties with WBPH-DT changing its operation as requested herein particularly with respect to both signal penetration within each station's DMA and in a reduction of mutual interference as shown by the attached Longley-Rice study. Repeated Longley-Rice studies by WUSA-DT, WBPH-DT, WGAL-DT and by WNJB-DT are showing that it is possible for mutual power increases to actually improve service to a greater extent than to that lost by a fixed percentage of new interference. For example, interference percentages actually will DECREASE when both parties make their respective changes. Data for WBPH-DT and WUSA-DT also shows that the numbers of persons that would now receive service from one or the other station, after the respective power increases outweighs the numbers lost to new interference. The reasons include the fact that interference is counted as a percentage of adjusted population, population is counted as a total number, and in some cases, areas (and population) that did not receive acceptable interference with a station at low power, now are able to receive a viewable signal. This is especially true with indoor reception.

In short, SFTC believes that the instant request, including a grant of a waiver of 73.622(f)(7) if needed, serves the public interest in improving the reliability and reception of its own station, WBPH-DT, and also to the reception quality and reliability of nearby stations WUSA-DT, WGAL-DT, and WNJB-DT, and therefore, this instant application should be granted.

⁵ The commission has granted the respective NJPBA and DFP Construction Permit applications and the Hearst-Argyle application is pending.

