

**MINOR CHANGE APPLICATION**  
**LILLY BROADCASTING, L.L.C.**  
**WENY-DT TELEVISION STATION**  
**CH 36 - 602-608 MHZ - 75.0 KW**  
**ELMIRA, NEW YORK**  
**October 2008**

**TECHNICAL STATEMENT**

This Technical Statement and attached exhibits were prepared on behalf of Lilly Broadcasting, L.L.C. ("LB"), licensee of analog station WENY-TV, Channel 36-, Elmira, New York. LB has chosen to implement final DTV operation on Channel 36 at Elmira, New York. Due to the lifting of a freeze on maximization applications and petitions for digital channel substitutions<sup>1</sup>, LB submits this instant application for DT facilities on Channel 36 at Elmira, New York, which includes a relocation of the station and seeks an increase in maximum effective radiated power to 75.0 kilowatts with a directional antenna system. The proposed antenna system employs 0.75° of beam tilt. Attached as Exhibit A is a vertical elevation pattern of the Dielectric antenna. It is noted that WENY-DT will share an antenna system with TV stations WSKA-DT, Channel 30, Corning, New York and WYDC-DT, Channel 48, Corning, New York.

The proposed increase in power and height will not impact any of the Appendix B DTV facilities. An outgoing interference study using OET Bulletin No. 69 methodology, was undertaken to review interference.<sup>2</sup> As indicated on Exhibit B, the proposed operation of the

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1) DA 08-1213, released May 30, 2008.

2) A 2.0 kilometer cell was used for review, with terrain sampled in 0.1 kilometer increments. The analysis was conducted using the V-Soft Probe3 software which has been found to replicate the model used by the Commission for DTV analysis.

WENY- DT facility on Channel 36 will not impact any DTV facility with new interference above the 0.5% limit.

The tower on which the antenna is installed has been assigned Antenna Structure Registration Number 1250909. The proposed WENY-DT digital facility will provide the predicted coverage over the community of license, as indicated in Exhibit C. However, there are some terrain features between the proposed site and the community of license that intrude into the line of sight path from the WENY-DT transmission site. Therefore, a waiver of §73.625(a)(2) of the rules is respectfully requested. See Exhibit D for further discussion.

The proposed WENY-DT facility will not exceed the radio frequency exposure limits, as indicated in Exhibit E. All remaining exhibits used to prepare this application have been provided to LB and are available for submission to the Commission upon request.<sup>3</sup>

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3) The undersigned has evaluated only the radio frequency radiation exposure limits of this proposal. All other environmental issues have been or will be reviewed by the applicant. Further, all data regarding broadcast facilities was extracted from the CDBS database. We assume no liability for errors or omissions in that database that may be adverse to the requests contained herein.