

Request for Waiver

Station WTVF-DT, Nashville, Tennessee holds a construction permit authorizing a post-transition digital facility on low VHF channel 5 with an effective radiated power (“ERP”) of 10.3 kW at a height above average terrain (“HAAT”) of 425 meters. See FCC File No. BPCDT-20080229ACK. The instant application seeks to maximize WTVF-DT’s post-transition DTV facilities by increasing the station’s ERP to 25 kW.

Station WTVF-DT recognizes that the proposed ERP slightly exceeds the maximum power allowed by Section 73.622(f)(6) of the Commission’s rules for stations with an HAAT of 425 meters. By operating digitally on a low VHF channel, however, WTVF-DT is highly susceptible to destructive interference that can impair the public’s ability to receive a good quality over-the-air signal from the station.¹ Accordingly, in order to combat this problem, and ensure that the public is able to receive a good quality signal throughout the station’s service contour, WTVF-DT respectfully requests a waiver of Section 73.622(f)(6) to allow the station to operate with the maximized facilities specified herein.

Station WTVF-DT also recognizes that the maximized facilities proposed herein will cause more than 0.5% interference to the co-channel post-transition DTV facilities of WMC-TV, Memphis, Tennessee. Accordingly, WTVF-DT has entered into a mutual interference acceptance agreement with WMC-TV whereby both stations have agreed to file maximization applications and accept the mutual interference that will occur from the operation of the maximized facilities specified in their respective applications. A copy of the mutual interference acceptance agreement is attached.

¹ In its Report and Order in the *Second Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*, 19 FCC Rcd 18,279 (2004), the Commission specifically acknowledged the unsuitability and undesirability of low-band VHF channels. Low-band VHF channel reception issues include interference from power lines, man-made impulse noise and ionospheric propagation, which are more pronounced with digital reception because digital television sets may lose or freeze their pictures as a result of such interference.

MUTUAL INTERFERENCE ACCEPTANCE AGREEMENT

This Mutual Interference Acceptance Agreement ("Agreement") is entered into as of June 17, 2008 by and between NewsChannel 5 Network, LLC ("NewsChannel5") and WMC License Subsidiary, LLC ("WMC Subsidiary").

1. NewsChannel5 is the licensee of Television Station WTVF, FCC Facility ID No. 36504, Nashville, Tennessee, and holds a construction permit issued by the Federal Communications Commission ("FCC") authorizing NewsChannel to operate a post-transition digital television ("DTV") facility on Channel 5 (*see* FCC File No. BPCDT-20080229ACK, hereafter referred to as the "WTVF Permit").

2. WMC Subsidiary is the licensee of Television Station WMC-TV, FCC Facility ID No. 19184, Memphis, Tennessee, and holds a construction permit issued by the FCC authorizing WMC to operate a post-transition DTV facility on Channel 5 (*see* FCC File No. BPCDT-20080327AFN, hereafter referred to as the "WMC Permit").

3. NewsChannel5 and WMC Subsidiary each desire to modify their authorized post-transition DTV facilities and maximize service to the public by increasing effective radiated power ("ERP"). Specifically, (i) NewsChannel5 desires to modify the WTVF Permit to specify an ERP of 25 kW at a height above average terrain ("HAAT") of 425 meters and (ii) WMC Subsidiary desires to modify the WMC Permit to specify an ERP of 34.5 kW at a HAAT of 308 meters. Other than the modifications specified in this paragraph, neither party contemplates making any other change to either the WTVF Permit or the WMC Permit. The parties acknowledge that if the WTVF Permit and WMC Permit are modified as described in this paragraph, the post-transition DTV facilities of WTVF and WMC-TV will each cause more than 0.5% new interference to the populations to be served by each station.

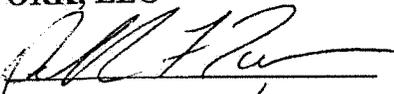
4. NewsChannel5 and WMC Subsidiary hereby agree to accept the mutual interference which would result from the mutual increases in ERP described in Paragraph 3 hereof.

5. Except for the mutual agreement set forth in Paragraph 4 hereof, no consideration is being paid or promised by either party in connection with this Agreement.

6. NewsChannel5 and WMC Subsidiary shall each submit an FCC Form 301 ("Application for Construction Permit for Commercial Broadcast Station") by June 20, 2008, requesting the modifications described in Paragraph 3 hereof (respectively, the "WTVF Maximization Application" and the "WMC Maximization Application"). NewsChannel5 and WMC Subsidiary acknowledge that (i) the FCC's approval of the WTVF Maximization Application is contingent upon the FCC's approval of the WMC Maximization Application and (ii) the FCC's approval of the WMC Maximization Application is contingent upon the FCC's approval of the WTVF Maximization Application. Accordingly, the parties agree that they will cooperate with each other in

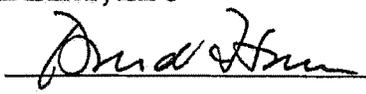
the prosecution of their respective applications and shall provide the FCC with all other information (including, without limitation, a copy of this Agreement) which the FCC may request in connection with their respective applications.

NEWSCHANNEL 5
NETWORK, LLC

By: 

Title: President/GM

WMC LICENSE
SUBSIDIARY, LLC

By: 

Title: VP/CTO
RAYCOM MEDIA INC.