

RETURN



WASHINGTON, DC

JOHN D. POUTASSE
202.416.6774
202.429.4614 FAX
JPOUTASSE@LERMANSENER.COM

July 31, 2009

Via Federal Express

Federal Communications Commission
c/o U.S. Bank
Government Lockbox # 979089, SL-MO-C2-GL
1005 Convention Plaza
St. Louis, MO 63101

**Re: Request for Special Temporary Authority
Station KAYU-TV, Spokane, Washington**

Dear Sir or Madam:

Mountain Licenses, L.P. ("MLLP") is the licensee of Station KAYU-TV, Spokane, Washington (Facility ID No. 58684). KAYU-TV is a Fox Network affiliate that currently operates on pre-transition DTV Channel 30 pursuant to a grant of phased-transition relief. *See* FCC File No. BDSTA-20080530ABH. MLLP has been issued a construction permit for KAYU-TV's post-transition DTV Channel 28 facility (FCC File No. BPCDT-20080402AAX), and anticipates that construction of that post-transition facility will be completed on or about September 15, 2009. *See* FCC File No. BDTUCT-20090720ABR. MLLP, by its attorneys, hereby respectfully requests Special Temporary Authority ("STA") to continue to operate KAYU-TV on its pre-transition DTV Channel 30 for a period of 30 days after it commences program tests on DTV Channel 28. Grant of this request is urgently needed to avoid a temporary loss of KAYU-TV's programming service to potentially hundreds of thousands of viewers when KAYU-TV completes its transition to DTV Channel 28.

KAYU-TV's over-the-air programming service is retransmitted by 14 TV translators located in Washington, Idaho and Montana. In addition, a number of local cable systems located in Washington and Idaho are fed via KAYU-TV's over-the-air signal. Unless KAYU-TV is granted temporary authority to continue operating on DTV Channel 30 after it completes its digital transition, these TV translators and cable systems will be unable to receive KAYU-TV's over-the-air signal until their digital input channels have been changed from DTV Channel 30 to DTV Channel 28. As explained more fully below, this temporary service loss could potentially affect hundreds of thousands of viewers, and can be avoided only if KAYU-TV is permitted to continue operating on DTV Channel 30 for a short transitional period while the necessary digital input channel changes are implemented.



The call signs, communities of license and Grade A contour service populations (2000 Census) for each of the 14 TV translators that retransmit KAYU-TV are set forth in the table below. The TV translators marked by an asterisk (*) are licensed to MLLP.

Call Sign	Community of License	Grade A F(50,50) Service Population
K50DM*	Coeur D' alene, ID	119,862
K47BW*	Lewiston, etc., ID	51,948
K52GH*	Sandpoint, ID	16,057
K09UP*	Colville, WA	9,053
K19BY*	Grangeville, etc., WA	2,984
K44CK*	Chelan, WA	7,629
K19AU*	Omak/Okanogan, WA	13,505
K35BJ*	Ellisford, etc., WA	3,238
K46HZ-D	Bonnors Ferry, ID	14,566 ¹
K08BY	Grand Coulee, etc., WA	1,188
K11UN	Coolin, ID	164
K33EH	Quincy, WA	7,922
K48HB	Julietta, ID	223
K51EF	Coolin, etc., ID	108

Total Grade A Service Population: 248,477

The process of changing the digital input channel for these TV translators will be time consuming. In each case, engineering personnel must visit the station's transmitter site to install tower-mounted preamplifiers and band pass filters. Since many of these transmitter sites are located on remote mountaintops, MLLP reasonably anticipates that it will take approximately three weeks to complete the digital input channel changes for these 14 TV translators.

In addition, MLLP estimates that approximately 55,599 households are served by cable systems that are fed by KAYU-TV's over-the-air signal. Each of these cable systems also will be unable to receive KAYU-TV's DTV Channel 28 signal until the necessary digital input channel change has been implemented. Although MLLP is reasonably confident that larger cable systems have the resources to implement this digital input channel change relatively quickly, smaller local cable systems often have limited technical personnel available to perform this task. For these smaller systems, MLLP reasonably estimates that it will take approximately two to three weeks to complete these technical adjustments.

MLLP cannot predict precisely the number of viewers who will temporarily lose access to KAYU-TV's programming service when it completes its transition to DTV Channel 28. However, based on available data, its knowledge of the Spokane, Washington television market and the surrounding areas, and the cable systems that carry KAYU-TV, MLLP reasonably

¹ This figure represents the population within the station's predicted 48 dBu service contour.

LSI

Federal Communications Commission

July 31, 2009

Page -3-

believes that more than 200,000 people will potentially be adversely affected. These viewers have come to rely on KAYU-TV's local news and emergency programming to keep them informed of severe weather conditions at this time of year, including lightning, wildfires and tornados. Indeed, KAYU-TV's EAS system was activated as recently as July 28th to alert viewers in areas served by several of the above-referenced translators to seek immediate cover following a National Weather Service tornado warning. Any interruption to KAYU-TV's vital emergency information service would be contrary to the public interest.

For the reasons set forth herein, MLLP respectfully requests an STA to permit KAYU-TV to continue operating on its pre-transition DTV Channel 30 for a period of 30 days following the initiation of program tests on DTV Channel 28.

Also enclosed is a completed FCC Form 159 for the credit card payment of the applicable \$170.00 filing fee and an executed Anti-Drug Abuse Certification.

Should there be any questions concerning this matter, please contact the undersigned.

Respectfully submitted,



Dennis P. Corbett
John D. Poutasse

Enclosures

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE
FORM 159

Approved by OMB
3064-0599
Page No. 1 of 2

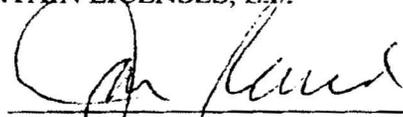
(1) LOCKBOX # 979089		SPECIAL USE ONLY	
		FCC USE ONLY	
SECTION A - PAYER INFORMATION			
(2) PAYER NAME (if paying by credit card enter name exactly as it appears on the card) MOUNTAIN LICENSES, L.P.		(3) TOTAL AMOUNT PAID (U.S. Dollars and cents) \$170.00	
(4) STREET ADDRESS LINE NO. 1 2111 UNIVERSITY PARK DR			
(5) STREET ADDRESS LINE NO. 2 SUITE 650			
(6) CITY OKEMOS		(7) STATE MI	(8) ZIP CODE 48864 - 6013
(9) DAYTIME TELEPHONE NUMBER (include area code) (517) 347-4111		(10) COUNTRY CODE (if not in U.S.A.)	
FCC REGISTRATION NUMBER (FRN) REQUIRED			
(11) PAYER (FRN) 0006175939		(12) FCC USE ONLY	
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C) COMPLETE SECTION BELOW FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET			
(13) APPLICANT NAME			
(14) STREET ADDRESS LINE NO. 1			
(15) STREET ADDRESS LINE NO. 2			
(16) CITY		(17) STATE	(18) ZIP CODE
(19) DAYTIME TELEPHONE NUMBER (include area code)		(20) COUNTRY CODE (if not in U.S.A.)	
FCC REGISTRATION NUMBER (FRN) REQUIRED			
(21) APPLICANT (FRN) 0006175939		(22) FCC USE ONLY	
COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET			
(23A) CALL SIGN/OTHER ID KAYU-TV	(24A) PAYMENT TYPE CODE MGT	(23B) QUANTITY 1	
(26A) FEE DUE FOR (PTC) \$170.00	(27A) TOTAL FEE \$170.00	FCC USE ONLY	
(28A) FCC CODE 1 58684		(29A) FCC CODE 2 WA, SPOKANE	
(23B) CALL SIGN/OTHER ID	(24B) PAYMENT TYPE CODE	(23B) QUANTITY	
(26B) FEE DUE FOR (PTC)	(27B) TOTAL FEE	FCC USE ONLY	
(28B) FCC CODE 1		(29B) FCC CODE 2	
SECTION D - CERTIFICATION			
<p>CERTIFICATION STATEMENT</p> <p>I, _____, certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief.</p> <p>SIGNATURE _____ DATE _____</p>			
SECTION E - CREDIT CARD PAYMENT INFORMATION			
<p>MASTERCARD _____ VISA <input checked="" type="checkbox"/> AMEX _____ DISCOVER _____</p> <p>ACCOUNT NUMBER 4798 5312 0503 5852 EXPIRATION DATE 11/2011</p> <p>I hereby authorize the FCC to charge my credit card for the service(s) and authorization herein described.</p> <p>SIGNATURE <i>[Signature]</i> DATE 7/30/09</p>			

ANTI-DRUG ABUSE ACT CERTIFICATION

Mountain Licenses, L.P. hereby certifies that no party to this application is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

MOUNTAIN LICENSES, L.P.

By:



Jon Rand
Chief Operating Officer,
Northwest Broadcasting, Inc.,
Its General Partner

Date:

7/30/09