

Exhibit 42 - Statement A
NATURE OF THE PROPOSAL
ALLOCATION CONSIDERATIONS
prepared for
Ohio/Oklahoma Hearst-Argyle TV, Inc.
WLWT-DT Cincinnati, Ohio
Facility ID 46979
Ch. 35 1000 kW 311 m

Ohio/Oklahoma Hearst-Argyle TV, Inc. ("Hearst") is the licensee of WLWT-DT, Channel 35, Cincinnati, Ohio (file number BLC DT-19980625KG) and the paired analog WLWT(TV) Channel 5 facility (BLCT-20021107AAZ). WLWT-DT is licensed to operate with an effective radiated power ("ERP") of 65 kW and an antenna height above average terrain ("HAAT") of 288 meters. A CP (BPCDT-20000414ABJ) authorizes an increase in WLWT-DT ERP and HAAT to 1000 kW and 327 meters, respectively. Under the instant application, *Hearst* seeks to modify the WLWT-DT CP to specify a reduction in antenna height.

WLWT-DT is presently operating pursuant to Special Temporary Authorization ("STA", BDSTA-20021023ABN) with an ERP of 512 kW and an antenna HAAT of 311 meters. The STA facility employs a non-directional antenna, situated as the lower antenna of a top-mounted antenna "stack" at the top of the tower structure. Under the instant proposal, the WLWT-DT CP will be modified to specify the same antenna as the STA facility, at an ERP of 1000 kW.

All WLWT-DT facilities described herein specify the same transmitting location. No change in site location is proposed. The existing WLWT-DT antenna supporting structure is associated with FCC Antenna Structure Registration number 1038226, and is currently authorized for various other stations.¹ No tower or antenna construction work is necessary to carry out this proposal.

Exhibit 42 - Figure 1 depicts the predicted coverage contours for the proposed WLWT-DT facility. The DTV service contour (41 dB μ) will completely encompass Cincinnati, the principal community. **Exhibit 42 - Figure 1** also demonstrates that the enhanced principal community coverage requirement of 48 dB μ (required by December 31, 2004 for commercial stations) will also be met by the proposed WLWT-DT facility.

¹Stations WLWT(TV) (Ch. 5), WCET(TV) (Ch. 48), WCET-DT (Ch. 34), and WGUC(FM) (Ch. 215B), all Cincinnati, OH are authorized under various Licenses and Construction Permits to utilize this site.

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Allocation Matters

Under the instant proposal, WLWT-DT will operate at its presently authorized site with the same ERP, however the antenna height will be reduced. Consideration of the reduction in antenna height should serve to generally decrease any interference caused. The resulting coverage and interfering contour locations are wholly within those of the authorized facility. Although the instant proposal should not require detailed discussion of its allocation situation with respect to other stations, pursuant to §73.622(f)(5) of the Commission's Rules a study per §73.623(c) was nonetheless conducted to evaluate interference to analog facilities and DTV stations that may be attributed to the proposed WLWT-DT facility.

The proposal's ERP/HAAT combination (1000 kW / 311 m) exceeds that which was allotted to WLWT-DT (1000 kW / 305 m), however a detailed interference study per OET Bulletin 69² shows that the proposal complies with the Commission's 2% / 10% *de minimis* interference limits to all DTV and NTSC television stations.

The instant proposal, as well as the licensed WLWT-DT facility, involve prohibited contour overlap to authorized Class A station WBQC-CA (CP, Ch. 38, Cincinnati, OH). OET Bulletin 69 analysis³ shows that the proposed WLWT-DT facility would not cause any new interference to WBQC-CA. Per §73.623(c)(5)(iii) of the Commission's Rules, if a waiver of the standard contour protection requirements of §73.623(c)(5)(i) is required, then one is requested on behalf of the applicant on the basis of the OET Bulletin 69 results.

²FCC Office of Engineering and Technology Bulletin number 69, *Longley-Rice Methodology for Evaluating TV Coverage and Interference*, February 6, 2004 ("OET-69"). The implementation of OET-69 for this study followed the guidelines of OET-69 as specified therein. A standard cell size of 2 km was employed. Comparisons of various results of this computer program (run on a Sun processor) to the Commission's implementation of OET-69 show excellent correlation.

³A cell size of 1 km was employed for analysis of Class A facilities.

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The map attached as **Exhibit 42 - Figure 2** supplies a comparison of the presently authorized and proposed 41 dBμ noise-limited DTV service contour locations. No extension in contour location will result, in compliance with the Commission's August 3, 2004 "freeze" concerning expansion in service area.⁴

The nearest FCC monitoring station is 405.1 km distant at Kingville, TX. This exceeds by a great margin the threshold minimum distance specified in §73.1030(c)(3) that would suggest consideration of the monitoring station. There are no directional AM broadcast stations within 3.2 km (2 miles) or non-directional AM stations within 0.8 km (0.5 mile) of the proposed site, according to information extracted from the Commission's engineering database.

The WLWT-DT site is located 323.7 km from the U.S. - Canadian border, and is therefore within the international coordination zone. However, since the proposal involves only a slight decrease in antenna height from that presently authorized, no further coordination with Canada is believed to be required.

Thus, this proposal is believed to be in compliance with the current Commission Rules and policy with respect to allocation matters.

⁴*Public Notice* "Freeze on the Filing of Certain TV and DTV Requests for Allotment or Service Area Changes," DA 04-2446, released August 3, 2004.



