

**From:** Lawrence M. Miller [miller@swmlaw.com]  
**Sent:** Tuesday, June 17, 2008 4:22 PM  
**To:** Patrick, Scott  
**Cc:** marilyn\_lawrence@kcsn.net  
**Subject:** RE: KCSM-KTVU Maximization

Scott –

The licensee of Station KCSM consents. What further documentation, if any, do you need.

Best,  
Larry

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**From:** Patrick, Scott [mailto:spatrick@dowlohnes.com]  
**Sent:** Saturday, June 07, 2008 5:58 PM  
**To:** Lawrence M. Miller  
**Subject:** KCSM-KTVU Maximization

Mr. Miller,

I am writing to see if your client might have an interest in formally consenting to KTVU's maximization application. KTVU is owned by my client Cox Broadcasting. Based upon information shared with KTVU, our consulting engineer has determined that there should be no impermissible interference between the ultimate facilities of KCSM and KTVU. However, the facilities proposed in the KTVU maximization application are predicted to cause 0.55% interference to KCSM's "Appendix B" service area population, which is slightly above the amount permitted. As such, we believe we either will need KCSM's consent now, or we must wait until KCSM files a 302 covering license for its ultimate facilities (at which time KTVU's proposed maximized facilities no longer would cause impermissible interference).

We were hoping that your client would be willing to consent to what amounts to theoretical impermissible interference so that KTVU could avoid waiting to implement maximized facilities. I am attaching a report from our consulting engineer that details the results of their analysis. KCSM obviously will want to verify the report's presumptions. If KCSM determines that the presumptions are in any way incorrect, we would very much appreciate you alerting us so that we can re-evaluate. We also would appreciate it if you and your client would keep this information confidential.

As am I sure you know, priority is given to maximization applications filed by June 20th, so anything that KCSM can do to respond before that time would be appreciated.

Regards,  
Scott Patrick

**Scott S. Patrick**  
*Attorney at Law*

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