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ALLOCATION CONSIDERATIONS

Erie 45 Media Association
Erie, PA

The original "short form" version of this "long form" application was included in the FCC's May 25, 2001 Public Notice as part of MX Group M412, along with five other "short form" applications:

BNPTTL-20000831ELL	Channel 29	Erie, PA
BNPTTL-20000830BNN	Channel 29	Erie, PA
BNPTTL-20000831ELC	Channel 30	Erie, PA
BNPTTL-20000830BMY	Channel 45	Erie, PA
BNPTTL-20000831ELD	Channel 45	Erie, PA

The conflict with the other two applications for Channel 45 was resolved by a merger between the three Channel 45 applicants, which resulted in the filing of this long form application. The conflict with the Channel 30 application has been resolved. The facilities proposed in this application, which are identical to those originally proposed in the "short form" version of this application, do not directly conflict with the facilities proposed in either of the Channel 29 applications. These Channel 29 applications were only included in this MX Group because they conflicted with the Channel 30 application, which in turn conflicted with the Channel 45 applications. Thus, the merger of the three Channel 45 applicants and the _____ of the Channel 30 application eliminates any conflict between the facilities proposed in this "long form" application and any other application filed during the August, 2000 LPTV auction window.

The proposed Channel 45 operating facilities will provide the required contour protection to all analog TV broadcast stations requiring protection consideration pursuant to Section 74.705 of the FCC Rules. As a result of the settlement outlined above, these

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proposed Channel 45 facilities will also provide the required contour protection to all LPTV, Class A TV, and TV Translator stations requiring protection consideration pursuant to Sections 74.707 and 74.708 of the FCC Rules. With one exception, they will also provide the required contour protection to all DTV facilities requiring protection consideration pursuant to Section 74.706 of the FCC Rules.

This one exception involves WDIV-DT - Detroit, Michigan. Channel 45 is allotted to Detroit, Michigan for use by WDIV-DT with a maximum effective radiated power of 1000 kilowatts at 306 meters above average terrain utilizing a directional antenna to replicate, to the greatest extent possible, WDIV-TV's present Channel 4 analog service area. WDIV-DT also holds a license (BLCDT-19990429KX) for DTV operation with a maximum effective radiated power of 973 kilowatts at 281 meters above average terrain utilizing a directional antenna. The proposed Channel 45 facilities fail to provide the contour protection required by Section 74.706 of the FCC Rules to both the allotment and licensed facilities for WDIV-DT.

Further studies were conducted utilizing the procedures outlined in FCC OET Bulletin 69 to evaluate the predicted interference to WDIV-DT from the proposed Channel 45 operating facilities. These interference studies were conducted utilizing the FCC's "FLR" computer program modified to run on a Windows 98/Windows NT platform and recompiled under the Compaq (DEC) Visual Fortran compiler. The version of the "FLR" program utilized in conducting these studies employed the same 2 kilometer cell size as was employed by the FCC in conducting the initial DTV allotment studies. This implementation of the "FLR" program was run for several stations utilizing the data-

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bases employed by the FCC to generate the benchmark values contained in Appendix B of the December 18, 1998 Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders in MM Docket 87-268 and yielded results essentially identical to those found in Appendix B for these stations. Thus, it is felt that this implementation of the "FLR" program faithfully reproduces the results obtained by the FCC in their implementation of this program.

These interference studies were conducted on the WDIV-DT DTV allotment facilities. Although the WDIV-DT licensed facilities are considered to be "checklist" facilities, and thus not normally subject to evaluation under the OET 69 procedures, interference studies were also conducted on these construction permit facilities to document that the proposed Channel 45 operating facilities will not cause any interference to these licensed facilities. In conducting these studies, the "FLR" program was run in the "paired" mode in order to evaluate service and interference to the entire area within the WDIV-TV Channel 4 Grade B contour, including the portions of this area which fall outside the noise limited contour for the DTV facilities being studied.

In conducting these interference studies, interfering NTSC stations holding a construction permit were considered to be operating with their construction permit facilities, while interfering NTSC stations not holding a construction permit were considered to be operating with their licensed facilities. Interfering DTV facilities who have not yet filed a construction permit application and authorized or proposed interfering DTV facilities which are based on a checklist application were considered to be operating with their DTV allotment facilities. For interfering DTV facilities which have a pending maximiza-

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tion application or have been authorized operating facilities based on a maximization application, the maximized facilities were considered in these studies only if they reduced the DTV Service population for WDIV-DT below the value which occurs when the same station's DTV allotment facilities are considered or when it was obvious by inspection that the maximized facilities have a significantly greater potential to cause interference to the station being studied than the associated DTV allotment facilities.

The results of these studies for the WDIV-DT DTV allotment facilities are tabulated in Table 6.0. Similarly, Table 6.1 presents the results of these studies for the facilities authorized by the WDIV-DT license. These tables contain a complete listing of the stations which were included in each study and the facilities which were considered for each station included in the study. They also contain the output of the "FLR" program both with and without the proposed Channel 45 operating facilities.

As shown by this data, the proposed Channel 45 operating facilities are not predicted to cause any new interference whatsoever to either the WDIV-DT allotment facilities or the facilities authorized by the WDIV-DT license. Based on this information, it is obvious that the Channel 45 operating facilities proposed in the attached application will not result in any interference to WDIV-DT, in spite of the prohibited contour overlap which would occur. This OET 69 analysis to WDIV-DT serves as the basis for the certification in response to Question 13(b) of Section III of FCC Form 346 that the proposed facilities protect DTV facilities as required by Section 74.706 of the FCC Rules.

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If it is deemed to be necessary, a waiver of Section 74.706 of the FCC Rules is respectfully requested with regard to this situation to permit the attached application to be granted in spite of this prohibited contour overlap with WDIV-DT.

The transmitter power output for the proposed Channel 45 facilities will be 0.95 kilowatts. Thus, these proposed facilities fully comply with the working arrangement with Canada, which limits the transmitter power output of a UHF LPTV station which requires Canadian coordination to no more than one kilowatt.

TABLE 6.0

OET 69 INTERFERENCE STUDIES
 WDIV-DT - DETROIT, MI
(ALLOTMENT FACILITIES)
 Erie 45 Media Association
 Erie, PA

STATION BEING STUDIED

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
WDIV-DT	Detroit, MI	45	DTV	Allotment	

STATIONS CONSIDERED IN STUDIES

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
NEW	Bay City, MI	46	NTSC	RM	BPRM-20000717AEG
WFVX	Vanderbilt, MI	45	NTSC	Licensed	BLCT-19970626KE
WNEO	Alliance, OH	45	NTSC	Licensed	BMLET-19891204KE
WRGT-TV	Dayton, OH	45	NTSC	Licensed	BMLCT-19860915KE
WSNS-DT	Chicago, IL	45	DTV	Allotment	
WXIN-DT	Indianapolis, IN	45	DTV	Licensed	BLCDT-19991105AAK
WZPX-DT	Battle Creek, MI	44	DTV	Allotment	
WWJ-DT	Detroit, MI	44	DTV	CP	BPCDT-19980427KK
WLLA-DT	Kalamazoo, MI	45	DTV	Allotment	
WUPW-DT	Toledo, OH	46	DTV	CP	BPCDT-19991029ABF
New	Erie, PA	45	NTSC	Applicant	

STUDY RESULTS WITHOUT PROPOSED ERIE FACILITIES

	POPULATION	AREA (sq km)
within Noise Limited Contour	5887456	34117.8
not affected by terrain losses	5864179	33779.9
lost to NTSC IX	65678	917.1
lost to additional IX by ATV	327984	1444.0
lost to ATV IX only	372815	1991.1
lost to all IX	393662	2361.1

TABLE 6.0 (cont'd)

OET 69 INTERFERENCE STUDIES
WDIV-DT - DETROIT, MI
(ALLOTMENT FACILITIES)

STUDY RESULTS WITH PROPOSED ERIE FACILITIES

	POPULATION	AREA (sq km)
within Noise Limited Contour	5887456	34117.8
not affected by terrain losses	5864179	33779.9
lost to NTSC IX	65678	917.1
lost to additional IX by ATV	327984	1444.0
lost to ATV IX only	372815	1991.1
lost to all IX	393662	2361.1

SUMMARY OF STUDY RESULTS

	<u>Without Proposed Erie Facilities</u>	<u>With Proposed Erie Facilities</u>	<u>Increase/(Decrease)</u>
DTV Service	5,470,517	5,470,517	0
Percent Loss(Gain)*	2.08%	2.08%	0.00%

*Percent Loss calculations are based on the benchmark DTV Service value of 5,587,000 from Appendix B of the December 18, 1998 Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders in MM Docket 87-268.

TABLE 6.1

OET 69 INTERFERENCE STUDIES
 WDIV-DT - DETROIT, MI
(LICENSED FACILITIES)
 Erie 45 Media Association
 Erie, PA

STATION BEING STUDIED

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
WDIV-DT	Detroit, MI	45	DTV	Licensed	BLCDT-19990429KX

STATIONS CONSIDERED IN STUDIES

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
NEW	Bay City, MI	46	NTSC	RM	BPRM-20000717AEG
WFVX	Vanderbilt, MI	45	NTSC	Licensed	BLCT-19970626KE
WNEO	Alliance, OH	45	NTSC	Licensed	BMLET-19891204KE
WRGT-TV	Dayton, OH	45	NTSC	Licensed	BMLCT-19860915KE
WSNS-DT	Chicago, IL	45	DTV	Allotment	
WXIN-DT	Indianapolis, IN	45	DTV	Licensed	BLCDT-19991105AAK
WZPX-DT	Battle Creek, MI	44	DTV	Allotment	
WWJ-DT	Detroit, MI	44	DTV	CP	BPCDT-19980427KK
WLLA-DT	Kalamazoo, MI	45	DTV	Allotment	
WUPW-DT	Toledo, OH	46	DTV	CP	BPCDT-19991029ABF
New	Erie, PA	45	NTSC	Applicant	

STUDY RESULTS WITHOUT PROPOSED ERIE FACILITIES

	POPULATION	AREA (sq km)
within Noise Limited Contour	5887456	34117.8
not affected by terrain losses	5836280	33168.5
lost to NTSC IX	57466	1576.8
lost to additional IX by ATV	489238	1979.0
lost to ATV IX only	527844	2944.4
lost to all IX	546704	3555.8

TABLE 6.1 (cont'd)

OET 69 INTERFERENCE STUDIES
WDIV-DT - DETROIT, MI
(LICENSED FACILITIES)

STUDY RESULTS WITH PROPOSED ERIE FACILITIES

	POPULATION	AREA (sq km)
within Noise Limited Contour	5887456	34117.8
not affected by terrain losses	5836280	33168.5
lost to NTSC IX	57466	1576.8
lost to additional IX by ATV	489238	1979.0
lost to ATV IX only	527844	2944.4
lost to all IX	546704	3555.8

SUMMARY OF STUDY RESULTS

	<u>Without Proposed Erie Facilities</u>	<u>With Proposed Erie Facilities</u>	<u>Increase/(Decrease)</u>
DTV Service	5,289,576	5,289,576	0
Percent Loss(Gain)*	5.32%	5.32%	0.00%

*Percent Loss calculations are based on the benchmark DTV Service value of 5,587,000 from Appendix B of the December 18, 1998 Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders in MM Docket 87-268.