

KPXG(TV) (Salem, Oregon) (Facility ID No. 5801)
Early Digital Operation on Post-Transition Channel
Notice of Terminated Analog and Digital Operation
STA Request Exhibit – November 2008

KPXG(TV), Salem, Oregon (the “Station”), an ION Network affiliate licensed to Paxson Salem License, Inc. (“ION”), respectfully requests appropriate authority to commence early digital operation on Post-Transition Channel 22 beginning December 3, 2008 and terminate digital operation on Pre-Transition Channel 4 pursuant to the policies adopted in the *Third DTV Periodic Review*.¹ The Station would operate at the parameters authorized in its post-transition construction permit.²

In the *Third DTV Periodic Review*, the Commission established the standards for such requests. The Commission said that it would allow stations to begin operating on their new channels before the transition date if (1) there was no impermissible interference; and (2) existing viewers would continue to be served.³ ION believes this request effectively satisfies these standards. The proposed early digital operation would not cause impermissible interference and would reach 100% of the existing DTV service population.⁴ Indeed, commencement of this digital service will permit the Station to restore service to those viewers who lost reception when the Station was forced to reduce digital power due to a transmitter failure.⁵

In addition, the Station necessarily intends on December 3rd to terminate analog operations on Channel 22 given that the Station thereafter will use this channel for digital operations. The Commission said that it would “permit a station to reduce or terminate its analog or digital service [after November 19th] by filing a notification.”⁶ The Commission further stated that the notification “must include a showing that the service reduction or termination is necessary for purposes of the transition.”⁷ Because this analog termination is required to implement full power digital operations and permits the restoration of digital service, the Station accordingly believes that this analog termination is necessary for purposes of the transition.

¹ Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television, *Report and Order*, 23 FCC Rcd 2994, ¶ 121 (2007) (“*Third DTV Periodic Review*”).

² See FCC File No. BPCDT-20080305ABK.

³ *Third DTV Periodic Review*, ¶ 121.

⁴ The station currently operates reduced digital facilities due to a transmitter failure. See FCC File No. BDSTA-20080910AAR. The proposed operations would reach 99.8% of the existing analog service area population.

⁵ See FCC File No. BDSTA-20080910AAR.

⁶ *Third DTV Periodic Review*, ¶ 133.

⁷ *Id.*

The Station intends to provide all required viewer notifications.⁸

ION believes that this instant request to commence early digital operation on Post-Transition Channel 22 and terminate digital operation on Pre-Transition Channel 4 not only satisfies the Commission's standards but the commencement of these operations actually would restore the availability of over-the-air digital programming. ION believes that this request furthers the public's interest in a smooth, orderly, and timely transition to digital service and thus asks that the Commission grant it.

⁸ *Id.*, ¶ 134 (requiring viewer notifications on a station's pre-transition channels at least four times per day, including once in primetime each day, for the 30 days prior to the reduction of service).