

Exhibit 1

MTB Bridgeport-NY Licensee LLC (“MTB Bridgeport”) is the licensee of WSAH-DT, Bridgeport, Connecticut, which is located in the New York, New York Designated Market Area. This minor change application seeks to maximize the post-transition digital facilities for WSAH-DT by relocating the station’s transmitter site to the Empire State Building in New York, New York, changing the station’s antenna pattern from non-directional to directional, and increasing the station’s antenna height and power.

As explained in greater detail in the Technical Statement attached hereto at Exhibit 42, which was prepared by S. Merrill Weiss of Merrill Weiss Group LLC, the proposed facility fully complies with the FCC’s technical requirements with respect to post-transition DTV facilities. Specifically, operation of WSAH-DT with the facilities proposed herein will provide 48 dBu coverage over the station’s entire community of license (Technical Statement at 3), and will not cause impermissible interference to any full power or Class A television stations. Technical Statement at 3-6.

MTB Bridgeport submits that grant of this application will advance the public interest by enabling WSAH-DT to provide Chinese-language television programming to a largely unserved population of more than 400,000 Chinese speakers within the modified WSAH-DT service area, as well as programming for the benefit of other underserved minority groups and the general population in a highly populated and culturally diverse community. Furthermore, grant of this application will increase the overall population that receives the WSAH-DT signal from approximately 6 million people to more than 18 million people. *See* Engineering Statement prepared by Kevin T. Fisher, Smith and Fisher at Figure 1, a copy of which is included at Attachment 1 to this Exhibit.

Background

MTB Bridgeport is controlled by Multicultural Television Broadcasting, LLC (“MTBL”), which in turn is controlled by Arthur and Yvonne Liu (the “Lius”). The Lius also own and control Multicultural Radio Broadcasting Licensee, LLC, Way Broadcasting Licensee, LLC, and KALI-FM, LLC (collectively “MRBI”), which operate more than 40 AM and FM radio stations, and provide ethnically diverse programming services throughout the United States. Arthur Liu has over 35 years experience in producing and packaging Chinese television programming, and affiliates of MTBL and MRBI also operate three Chinese language cable television channels and publish a weekly Chinese entertainment magazine, “M-Weekly.”

The Lius epitomize both the difficulties and success of minority small-business ownership in broadcasting. To obtain their first station, the Lius filed an application in a large multi-party comparative hearing in which they prevailed after many years and

received their first FCC construction permit. Through gradual growth built largely upon providing needed service to underserved local minority communities, they achieved their present position in the broadcast industry. Because radio was a mature industry in which the most powerful and valuable stations were either already taken or available only at prices beyond their means, the Lius built MRBI by acquiring and developing what was available – all but one of MRBI’s stations are in the AM band, and many are in the outlying fringes of major markets. In short, the Lius created a successful minority-owned broadcast business by developing the services of stations that were less than the best facilities located at the centers of their markets.

MTBL represents the Lius’ attempt to replicate in television MRBI’s successful establishment of minority small business ownership in radio. As the Commission is well aware, even more than in radio, the prime television technical facilities were allocated at times when opportunities for minorities, women, the economically disadvantaged, and small businesses to participate were virtually non-existent. Still today, such entities often lack the financial resources and opportunities to acquire television broadcast properties in large metropolitan areas. Instead, these disadvantaged broadcasters all too frequently are relegated to operating stations in smaller, outlying communities that often are unable to serve these more populated metropolitan areas due to signal deficiencies and intervening terrain obstructions. MTB Bridgeport now seeks to obtain for WSAH-DT the equality that was denied to minorities, women, and the disadvantaged throughout the television industry’s history. Specifically, operation of WSAH-DT from the Empire State Building would enable the station to reach a large minority audience in underserved or unserved communities with specialized Chinese and other ethnic programming, and to compete in its television market on a more level playing field.

**Grant of this Application will Dramatically Enhance
Program Diversity and Competition Through the Provision
of Ethnic Language Programming to Underserved Minorities.**

It is well established that greater participation by minorities and small businesses in the broadcast area enhances competition and advances the public interest.¹ Indeed, the Commission has specifically held that proactive steps to eliminate facilities-based disadvantages, such as through grants of waivers of Commission rules and policies, are sometimes necessary to foster competition in ethnic language programming:

¹ See, e.g., *2002 Biennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules*, 18 FCC Rcd 13620, 13637 (2003) (“Greater participation in communications markets by small businesses, including those owned by minorities and women, has the potential to strengthen competition and diversity in those markets. It will expand the pool of potential competitors in media markets and should bring new competitive strategies and approaches by broadcast station owners in ways that benefit consumers in those markets.”).

The hallmark of our regulatory responsibility is to increase and strengthen program diversity and thereby provide multiple viewing choices in the community... [W]e believe we should, where possible, eliminate facilities-based disadvantages so as to facilitate competition based on the merits of program services.²

Proactive steps by the Commission action are particularly warranted in those instances where there is a demonstrated need for a specialized programming service.³ In this instance, it is undisputed that there is a substantial and ever growing Chinese American population within New York City. According to an analysis of U.S. Census data by the Asian American Federation Census Information Center, New York City's Chinese population grew by more than 60% from 1990 to 2000, with the largest Chinese population in the U.S. found in the New York metropolitan area as of the 2000 U.S. Census.⁴ At that time, there were approximately 374,000 recorded Chinese Americans living within New York City. A more recent U.S. Census American Community Survey estimated that the number of Chinese in New York City had risen to 434,617 in 2006, although it is widely believed that the actual population is substantially higher. As of 2000, approximately 38% of New York City's Chinese population lived in Queens, with substantial numbers living in Brooklyn (34%) and in Manhattan (24%).⁵ Regrettably, a significant portion of the Chinese American population has become linguistically isolated – more than 60% of the Chinese Americans living in New York City have limited proficiency in English, including 65% of Chinese working-age adults, and 85% of Chinese American senior citizens.⁶

² *Amendment of the Television Table of Allotments to Delete Noncommercial Reservation of Channel *39, 620-626 MHz, Phoenix, Arizona, and to Add Noncommercial Reservation on Channel 11, 198-204 MHz, Holbrook, Arizona*, Memorandum Opinion and Order, 36 CR 1238 (2005) (“*Phoenix and Holbrook, Arizona*”) at ¶ 18 (internal citations omitted).

³ *Id.* (“It seems clear to us that creating a more competitive environment for the continuing growth and development of Spanish language network programming in the Phoenix market is in the public interest.”) *See also American International Development, Inc.*, 75 FCC 2d 67 (ALJ 1979), *aff'd*, 86 FCC 2d 808 (1981) (finding a comparative preference in favor of an applicant proposing a specialized Spanish-language programming format for a Spanish-speaking population with a demonstrated need for such programming).

⁴ Asian American Federation of New York Census Information Center, *Census Profile: New York City's Chinese American Population* (2004) (“*AAF 2004 Census Profile*”) at 1.

⁵ *Id.*

⁶ *AAF 2004 Census Profile* at 2.

It is also undisputed that the level of Chinese language television programming within New York City and the surrounding area is inadequate to serve that growing Chinese American population. Currently, free, over-the-air Chinese language television programming in New York City is limited to a single, isolated one-hour block from 11:00 p.m. to 12:00 midnight on WMBC-TV. Although additional Chinese language programming is available on a limited number of cable and satellite channels, access to these alternative programming sources is highly limited due to low penetration rates within the Chinese American community and the premium package charges frequently associated with the program tiers carrying such programming.

MTB Bridgeport proposes to introduce the first meaningful Chinese language programming service to New York City and the surrounding area by broadcasting a minimum bloc of six hours daily of Chinese language programming produced and packaged by MTB Bridgeport's expert principals and personnel. The programming will include daily hour and half-hour newscasts and sports news, including local news programming produced by MTB Bridgeport's own staff. Illustrative examples of the type of other Chinese language programming and the numerous public service announcements that MTB Bridgeport will broadcast are set forth in Attachment 2 to this Exhibit.

MTB Bridgeport's proposal has been enthusiastically embraced and is greatly anticipated by the community. Organizations such as the Asian American Federation; the Council of the City of New York; the Jewish Community Relations Council of New York, Inc.; the Chinese-American Planning Council, Inc.; and the New York Hall of Science, among others, recognize the genuine need for the Chinese language programming service to be provided by WSAH-DT and have supplied letters of support that are attached hereto.⁷

In addition to providing the first concentrated Chinese-language programming service to more than 400,000 Chinese speakers, MTB Bridgeport's proposal will further increase program diversity in the New York City metropolitan area through additional programming directed to Hispanic and/or other ethnic communities, as well as programming for the majority English-speaking population in Bridgeport and within the station's service area.

⁷ Copies of those letters of support are included at Attachment 3 to this Exhibit. Letters of support also have been received from the U.S. Chinese Chamber of Commerce, the CPC-Confucius Plaza Day Care Center, the CPC Nan Shan Senior Center, the Chinatown Partnership Local Development Corporation, and the Chinese American Culture & Art Association.

**Grant of This Application Will Result in a
Dramatic Improvement in Service to the Public.**

Grant of this application will advance the public interest in other significant ways. Operation of WSAH-DT from the Empire State Building will result in a dramatic increase in the station's overall coverage compared to its currently licensed operation. As set forth on Figure 1 to the Engineering Statement, WSAH-DT's presently allotted 41 dBu service contour encompasses a 2000 U.S. Census population of 6,008,556 people within a service area of 20,185 square kilometers. Operating from the Empire State Building, WSAH-DT's 41 dBu contour alone would encompass a population of 18,536,847 people within a service area of 21,956 square kilometers. *Id.* Consequently, grant of this application would increase WSAH-DT's 41 dBu service contour by 1,771 square kilometers and result in the provision of MTB Bridgeport's valuable programming service to an additional 12,528,291 people, an increase in population served of *over 200%*.

Moreover, MTB Bridgeport has taken affirmative steps to accomplish its vastly improved service without any corresponding loss of WSAH-DT's over the air programming service to its current viewers. Specifically, MTB Bridgeport has entered into a Multicast Channel Agreement with LIN Television Corporation, parent of the licensee of WTNH-DT, Channel 10, New Haven, Connecticut (Facility ID No. 74109), providing for the broadcast of WSAH-DT's signal and programming on WTNH-TV. As shown in Figure 2 to the Engineering Statement, the 36 dBu contour of WTNH-DT encompasses the entirety of WSAH-DT's current 41 dBu digital contour, and more. Accordingly, the multicast of WSAH-DT's programming on WTNH-DT will result in the over the air delivery of MTB Bridgeport's valuable programming to 21,786,455 people within a combined service area of 43,000 square kilometers. *Id.* Consequently, grant of this Petition would increase the reach of WSAH-DT's program service to an additional 15,777,899 people within an additional area of 22,815 square miles, an increase in population served of approximately *250%*, without loss of over the air service to any person. *Id.*⁸

The enhanced service that this application proposes decidedly serves the public interest. Moreover, this innovative use of the excess digital channel capacity on WTNH-DT advances the Commission's important goals of promoting competition and diversity of programming. As Chairman Martin has previously declared:

⁸ Although for the reasons described above MTB Bridgeport's comprehensive proposal maintains over the air service to 100% of the population reached by the facilities defined in the new DTV Table Appendix B, MTB Bridgeport has responded in the negative to Section III-D Question 1(e) of the FCC Form 301 to ensure that the Commission is aware of and focuses on the gain/loss situation that this application presents.

Another idea for helping small and independently owned businesses overcome financial and resource constraints is to allow them to enter the broadcast industry by leasing some of an existing broadcaster's spectrum to distribute their own programming. Conversion to digital operations enables broadcasters to fit a single channel of analog programming into a smaller amount of spectrum. Often, there is additional spectrum left over that can be used to air other channels of programming. Small and independently owned businesses could take advantage of this capacity and use a portion of the existing broadcasters' digital spectrum to operate their own broadcast channel.⁹

MTB Bridgeport notes that it has simultaneously filed a Petition for Rule Making to amend Section 73.622(i), the Post-Transition Table of DTV Allotments, to substitute DTV Channel 41 as the post-transition DTV allocation for WSAH-DT in lieu of DTV Channel 42, as originally allotted. That Petition also specifies operation of WSAH-DT from the Empire State Building. MTB Bridgeport filed that Petition because operation of WSAH-DT on DTV Channel 41 will require less signal suppression to protect another station and therefore would permit MTB Bridgeport to operate from the Empire State Building in more efficient and cost effective manner.

Conclusion

The public interest benefits of the grant of this application are considerable, and include a substantial enhancement of program diversity and minority voices within the modified WSAH-DT service area, consisting of the much needed Chinese language programming to more than 400,000 Chinese Americans and the introduction of other specialized ethnic language programming to underserved minorities, and a dramatic increase in the station's overall service population, all without impeding any other station's digital transition.

⁹ Opening Statement of FCC Chairman Kevin J. Martin, Public Hearing on Media Ownership, Harrisburg, Pennsylvania (February 23, 2007).