

**EXHIBIT 41  
(AS AMENDED)  
NON-CHECKLIST PROPOSAL  
KFTL-DT 300 KW-DA 928 M HAAT CH. 62  
STOCKTON, CALIFORNIA**

Family Stations, Inc.'s application BMPCDT-20020214AN proposes a non-checklist modification of the authorized facilities of KFTL-DT Stockton, California. The application specifies an ERP of 300 kW (MAX-DA) at 928 meters above average terrain. The combined ERP/HAAT facilities are in excess of the maximum allowable facilities calculated in accordance with Section 73.622(f)(8)(ii) of the Commission's Rules. These facilities do however comply with maximum power and antenna height limitations described in Section 73.622(f)(5).

The proposal for KFTL-DT specifies facilities needed to provide the same geographic coverage area as the largest station within the market pursuant to the provision in Section 73.622(f)(5). KFTL-DT as proposed will generate a coverage area of 30,850 square kilometers while the allotment facility of station KCRA-DT, Sacramento, CA will generate a coverage area of 40,864 square kilometers. KFTL-DT in Stockton and KCRA-DT in Sacramento are in the same DMA and are therefore considered to be in the same market for purposes of coverage comparison as clarified in the *Report and Order and Further Notice of Proposed Rule Making* in MM Docket No. 00-39 adopted January 18, 2001.

An interference analysis was conducted to determine the proposal's impact on other DTV and NTSC services. Affected stations were identified based on distance and channel relationship in accordance with *OET Bulletin No. 69* and then examined for interference using the Commission's *Interference Model*. The analysis concluded that the proposal

results in predicted interference to the following four NTSC stations: 1) KSTS, Channel 48, San Jose, CA, 2) KKPX, San Jose, CA, 3) KCSM-TV, Channel 64, San Mateo, CA and 4) KFTL, Channel 64, Stockton, CA (KFTL-DT's associated NTSC facility). However, interference to these NTSC stations is not estimated to exceed the *de minimis* interference standard in accordance with Section 73.623(c).

The proposal also involves interference to the allotment reference facility of KTNC-DT, Channel 63, Concord, CA. Interference to this adjacent channel DTV allotment is in excess of the *de minimis* interference criteria, however, a letter from a representative of KTNC-DT that agrees to the proposed change at KFTL-DT and waives interference protection is attached as Exhibit 41-A. A summary of the interference evaluation concerning the four NTSC stations is also provided as Exhibit 41-B. Service losses shown on Exhibit 41-B were determined using the procedures described *OET Bulletin No. 69*, based on the recommended cell size of 2 kilometers on a side, and the Commission's *Additional Application Processing Guidelines For Digital Television*.

**LOHNES AND CULVER**

November, 2002



LeBon G. Abercrombie  
SENIOR EXECUTIVE VICE-PRESIDENT  
PLANNING AND DEVELOPMENT

November 5, 2002

Mr. Matt Tuter  
Family Stations, Inc.  
403 McCormick Street  
San Leandro, CA 94577

Dear Mr. Tuter:

You have advised that you have pending at the FCC an application to modify the construction permit for KFTL-DT, Stockton, California, to be located on the American Tower facility on the South Peak of Mount Diablo (the "South Peak"), and that this proposal would not fully protect the DTV allotment facility for KTNC-DT.

In light of the pendency of an application to modify the construction permit of KTNC-DT, we consent to your submission of this letter to the FCC in connection with your pending application for modification of the KFTL-DT construction permit to propose a site located on the South Peak, and waive protection of our DTV facilities as allotted from your proposed site on the South Peak.

Sincerely,  
KTNC License, LLC

LeBon G. Abercrombie  
Senior Executive Vice-President

**EXHIBIT 41-B**  
**NTSC INTERFERENCE STUDY**  
**KFTL-DT 300KW-DA 928 M HAAT CH. 62**  
**STOCKTON, CALIFORNIA**

| <b>Affected Analog TV (NTSC) Station(s):</b> |  | <b>Initial FCC<br/>Determination in<br/>Appendix B<br/>(1990 Census)</b> | <b>Analysis of<br/>current Record<br/>Before Proposal<br/>(1990 Census)</b> | <b>Analysis of<br/>Current Record<br/>After Proposal<br/>(1990 Census)</b> |
|--|--|--|---|--|
| <b>48</b>                                    | <b>KSTS San Jose, CA: 3030 kW-DA 688 m</b>               |  |   |  |
|  | Population within NTSC Grade B contour:                  |  | 5,925,289   | 5,925,287  |
|  | Population not affected by terrain losses:               |  | 4,840,697   | 4,840,697  |
|  | • Lost to NTSC interference:                             |  | 214   | 214  |
|  | • Lost to additional interference by DTV:                |  | 233,017   | 240,924  |
|  | <b>Percent loss due to cumulated service reductions:</b> | <b>3.20%</b>   | <b>3.93%</b>  | <b>4.07%</b>   |
|  | <b>Percent loss change as a result of proposal:</b>      | <b>n/a</b>   | <b>n/a</b>  | <b>0.14%</b>   |
| <b>65</b>                                    | <b>KKPX San Jose, CA: 3090 kW-DA 812 m</b>               |  |   |  |
|  | Population within NTSC Grade B contour:                  |  | 5,254,006   | 5,254,006  |
|  | Population not affected by terrain losses:               |  | 4,456,940   | 4,456,940  |
|  | • Lost to NTSC interference:                             |  | 100,974   | 100,974  |
|  | • Lost to additional interference by DTV:                |  | 0   | 384  |
|  | <b>Percent loss due to cumulated service reductions:</b> | <b>0.00%</b>   | <b>0.00%</b>  | <b>0.01%</b>   |
|  | <b>Percent loss change as a result of proposal:</b>      | <b>n/a</b>   | <b>n/a</b>  | <b>0.01%</b>   |
| <b>60</b>                                    | <b>KCSM-TV San Mateo, CA: 4470 kW-DA 381 m</b>           |  |   |  |
|  | Population within NTSC Grade B contour:                  |  | 5,546,368   | 5,546,368  |
|  | Population not affected by terrain losses:               |  | 4,712,246   | 4,712,246  |
|  | • Lost to NTSC interference:                             |  | 22,479  | 22,479   |
|  | • Lost to additional interference by DTV:                |  | 13,820  | 14,042   |
|  | <b>Percent loss due to cumulated service reductions:</b> | <b>0.80%</b>   | <b>0.25%</b>  | <b>0.25%</b>   |
|  | <b>Percent loss change as a result of proposal:</b>      | <b>n/a</b>   | <b>n/a</b>  | <b>0.00%</b>   |
| <b>64</b>                                    | <b>KFTL Stockton, CA: 1950 kW 874 m</b>                  |  |   |  |
|  | Population within NTSC Grade B contour:                  |  | 7,834,630   | 7,834,630  |
|  | Population not affected by terrain losses:               |  | 6,332,087   | 6,332,087  |
|  | • Lost to NTSC interference:                             |  | 397,973   | 397,973  |
|  | • Lost to additional interference by DTV:                |  | 0   | 2,336  |
|  | <b>Percent loss due to cumulated service reductions:</b> | <b>0.00%</b>   | <b>0.00%</b>  | <b>0.03%</b>   |
|  | <b>Percent loss change as a result of proposal:</b>      | <b>n/a</b>   | <b>n/a</b>  | <b>0.03%</b>   |