

DIGITAL TV STATION PROTECTION

Image Video Teleproductions, Inc.
Newcomerstown, OH

The predicted 20 dBu contour for the proposed W29CU facilities will overlap the predicted 41 dBu contours three DTV stations requiring protection consideration, in violation of Section 74.707(d)(1) of the FCC Rules:

WXIX-DT(Lic.)	Newport, KY	Channel 29
WGTE-DT(Lic.)	Toledo, OH	Channel 29
WWCP-DT(CP)	Johnstown, PA	Channel 29

As shown below, however, an analysis utilizing the methodology outlined in OET Bulletin 69 shows that the proposed W29CU operating facilities will not be predicted to cause any new interference whatsoever to any of these DTV facilities. Thus, based on this analysis, the attached application requests a waiver of this rule section, pursuant to Section 74.707(e) of the FCC Rules.

Studies were conducted utilizing the procedures outlined in OET Bulletin 69 to evaluate the predicted interference to these three DTV facilities from the proposed W29CU 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 databases 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

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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.

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 maximization 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 the station being studied 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.

Tables 6.1.0 through 6.1.2 present the results of these OET 69 interference studies to these DTV facilities. These tables contain a complete listing of the stations which were included in each study and the facilities which were considered for each station which was included. They also contain the output of the "FLR" program, both with and without the proposed W29CU operating facilities. As shown in these tables, the proposed W29CU facilities are not predicted to cause any new interference whatsoever to

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any of these DTV facilities. Based on this data, a waiver of Section 74.707(d)(1) of the FCC Rules is respectfully requested to permit the attached application to be granted in spite of the prohibited contour overlap which is predicted to these DTV facilities.

With the exception of these three stations, the proposed W29CU operating facilities provide the required contour protection to all DTV facilities requiring protection consideration.

TABLE 6.1.0

OET 69 INTERFERENCE STUDIES
 WXIX-DT - NEWPORT, KY
(LICENSED FACILITIES)
 Image Video Teleproductions, Inc.
 Newcomerstown, OH

STATION BEING STUDIED

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
WXIX-DT	Newport, KY	29	DTV	Licensed	BLCDT-20000908ABI

STATIONS CONSIDERED IN STUDIES

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
WTIU	Bloomington, IN	30	NTSC	Licensed	BLET-20020919ABC
WTTK	Kokomo, IN	29	NTSC	Licensed	BLCT-19880523KI
WKSO-TV	Somerset, KY	29	NTSC	Licensed	BLET-19830725KM
WTTE	Columbus, OH	28	NTSC	Licensed	BLCT-20030825ALW
WHCP	Portsmouth, OH	30	NTSC	Licensed	BLCT-19981116KI
WLPX-TV	Charleston, WV	29	NTSC	Licensed	BLCT-19990426AAA
WRGT-DT	Dayton, OH	30	DTV	CP	BPCDT-19991101ADJ
WPTO-DT	Oxford, OH	28	DTV	Allotment	
WGTE-DT	Toledo, OH	29	DTV	Allotment	
W29CU	Newcomerstown, OH	29	NTSC	Applicant	

STUDY RESULTS WITHOUT W29CU

	POPULATION	AREA (sq km)
within Noise Limited Contour	2533073	19555.1
not affected by terrain losses	2527049	19389.6
lost to NTSC IX	50538	153.4
lost to additional IX by ATV	338216	738.8
lost to ATV IX only	387427	791.2
lost to all IX	388754	892.2

TABLE 6.1.0 (cont'd)

OET 69 INTERFERENCE STUDIES
 WXIX-DT - NEWPORT, KY
(LICENSED FACILITIES)

STUDY RESULTS WITH PROPOSED W29CU FACILITIES

	POPULATION	AREA (sq km)
within Noise Limited Contour	2533073	19555.1
not affected by terrain losses	2527049	19389.6
lost to NTSC IX	50538	153.4
lost to additional IX by ATV	338216	738.8
lost to ATV IX only	387427	791.2
lost to all IX	388754	892.2

SUMMARY OF STUDY RESULTS

	Without <u>W29CU</u>	With Proposed <u>W29CU</u>	<u>Increase/(Decrease)</u>
DTV Service	2,138,295	2,138,295	0
Percent Loss(Gain)*	8.62%	8.62%	0.00%

*Percent Loss calculations are based on the benchmark NTSC Service value of 2,340,000 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 6.1.1

OET 69 INTERFERENCE STUDIES
 WGTE-DT - TOLEDO, OH
(LICENSED FACILITIES)
 Image Video Teleproductions, Inc.
 Newcomerstown, OH

STATION BEING STUDIED

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
WGTE-DT	Toledo, OH	29	DTV	Licensed	BLEDT-20031110AKO

STATIONS CONSIDERED IN STUDIES

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
WTTK	Kokomo, IN	29	NTSC	Licensed	BLCT-19880523KI
WFUM	Flint, MI	28	NTSC	Licensed	BLET-20030718AFB
WGTU	Traverse City, MI	29	NTSC	CP	BPCT-20021112AAC
WTTE	Columbus, OH	28	NTSC	Licensed	BLCT-20030825ALW
WGTE-TV	Toledo, OH	30	NTSC	Licensed	BMLET-19971204LC
WMAQ-DT	Chicago, IL	29	DTV	Allotment	
WXIX-DT	Newport, KY	29	DTV	Allotment	
WEYI-DT	Saginaw, MI	30	DTV	Allotment	
WBNX-DT	Akron, OH	30	DTV	Allotment	
WUAB-DT	Lorain, OH	28	DTV	Allotment	
W29CU	Newcomerstown, OH	29	NTSC	Applicant	

STUDY RESULTS WITHOUT W29CU

	POPULATION	AREA (sq km)
within Noise Limited Contour	2131092	18376.3
not affected by terrain losses	2131092	18376.3
lost to NTSC IX	0	0.0
lost to additional IX by ATV	0	0.0
lost to ATV IX only	0	0.0
lost to all IX	0	0.0

TABLE 6.1.1 (cont'd)

OET 69 INTERFERENCE STUDIES
 WGTE-DT - TOLEDO, OH
(LICENSED FACILITIES)

STUDY RESULTS WITH PROPOSED W29CU FACILITIES

	POPULATION	AREA (sq km)
within Noise Limited Contour	2131092	18376.3
not affected by terrain losses	2131092	18376.3
lost to NTSC IX	0	0.0
lost to additional IX by ATV	0	0.0
lost to ATV IX only	0	0.0
lost to all IX	0	0.0

SUMMARY OF STUDY RESULTS

	Without <u>W29CU</u>	With Proposed <u>W29CU</u>	<u>Increase/(Decrease)</u>
DTV Service	2,131,092	2,131,092	0
Percent Loss(Gain)*	(20.13)%	(20.13)%	0.00%

*Percent Loss calculations are based on the benchmark DTV Service value of 1,774,000 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 6.1.2

OET 69 INTERFERENCE STUDIES
 WWCP-DT - JOHNSTOWN, PA
(CONSTRUCTION PERMIT FACILITIES)

Image Video Teleproductions, Inc.
 Newcomerstown, OH

STATION BEING STUDIED

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
WWCP-DT	Johnstown, PA	29	DTV	CP	BPCDT-19991029ADP

STATIONS CONSIDERED IN STUDIES

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
WUTV	Buffalo, NY	29	NTSC	Licensed	BLCT-19990604KJ
WTXF-TV	Philadelphia, PA	29	NTSC	Licensed	BLCT-2289
WVIR-TV	Charlottesville, VA	29	NTSC	Licensed	BLCT-19930219KE
WLPX-TV	Charleston, WV	29	NTSC	Licensed	BLCT-19990426AAA
WMPB-DT	Baltimore, MD	29	DTV	Allotment	
WFPT-DT	Frederick, MD	28	DTV	Allotment	
WGTE-DT	Toledo, OH	29	DTV	Allotment	
WNPA-DT	Jeannette, PA	30	DTV	Allotment	
WILF-DT	Williamsport, PA	29	DTV	CP	BPCDT-19980825KJ
W29CU	Newcomerstown, OH	29	NTSC	Applicant	

STUDY RESULTS WITHOUT W29CU

	POPULATION	AREA (sq km)
within Noise Limited Contour	3095194	30968.8
not affected by terrain losses	2911927	27697.5
lost to NTSC IX	17775	309.4
lost to additional IX by ATV	12161	124.6
lost to ATV IX only	17095	249.2
lost to all IX	29936	434.0

TABLE 6.1.2 (cont'd)

OET 69 INTERFERENCE STUDIES
 WWCP-DT - JOHNSTOWN, PA
(CONSTRUCTION PERMIT FACILITIES)

STUDY RESULTS WITH PROPOSED W29CU FACILITIES

	POPULATION	AREA (sq km)
within Noise Limited Contour	3095194	30968.8
not affected by terrain losses	2911927	27697.5
lost to NTSC IX	17775	309.4
lost to additional IX by ATV	12161	124.6
lost to ATV IX only	17095	249.2
lost to all IX	29936	434.0

SUMMARY OF STUDY RESULTS

	Without <u>W29CU</u>	With Proposed <u>W29CU</u>	<u>Increase/(Decrease)</u>
DTV Service	2,881,991	2,881,991	0
Percent Loss(Gain)*	(18.99)%	(18.99)%	0.00%

*Percent Loss calculations are based on the benchmark DTV Service value of 2,422,000 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.