

Exhibit 33

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Technical Statement —

Application for Auxiliary Antenna Construction Permit

KOCE-DT, Channel 48, Huntington Beach, CA

This Technical Statement is provided to support the Form 340 application by the KOCE-TV Foundation (KOCE) for a construction permit for an Auxiliary Antenna for its station KOCE-DT at a site at the Mt. Wilson, CA antenna farm. KOCE-DT is licensed by the FCC (File No. BLEDT-20041117ADG) for operation at an effective radiated power (ERP) of 1000 kW at a center-of-radiation elevation of 1838 meters above mean sea level (AMSL). Its present application for an Auxiliary Antenna is for operation at 855 kW ERP at a center-of-radiation elevation of 1812 meters AMSL.

KOCE is a participant in the Master Antenna System and Joint Transmitter Operation constructed at the Mt. Wilson site of American Tower Corporation by a group of four licensees who, together, operate seven television stations (4 digital and 3 analog). In 2003, KOCE was granted Special Temporary Authorization (STA) to operate KOCE-DT from a different tower at the Mt. Wilson site (initially under File No. BMDSTA-20031105AIS, the most recent renewal of which is in File No. BEDSTA-20041230ADN) while the Master Antenna System was under construction.

In order to operate under the STA, KOCE-DT was forced to use an antenna much smaller, lighter, and lower in gain than the Master Antenna because the antenna had to fit in the side-mount space available on the nearby tower on the site. Because it is lower in gain, however, the STA antenna is less efficient, and therefore more expensive to operate, if approximately the same coverage is to be obtained as from the KOCE-DT licensed

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facilities.¹ KOCE selected the particular STA antenna because: (i) its antenna pattern matched as closely as possible the pattern of the KOCE-DT licensed facilities and (ii) it could be used both for operating under the STA and as an auxiliary antenna once the KOCE-DT licensed facilities were constructed.

Although the STA antenna pattern matched the KOCE-DT licensed antenna pattern as closely as possible given the size of antenna that could be accommodated, the signal contour of the STA minimally extended beyond the licensed signal contour. KOCE's plan eventually to turn the STA facilities into auxiliary facilities was thoroughly vetted with Media Bureau staff at the time KOCE applied for the STA. The various effects of the contour extensions and their impacts on potential interference to other stations also were carefully reviewed with the staff, with the result that the STA was granted despite the contour extension of the STA facilities beyond the licensed contour.

KOCE now seeks to license the STA antenna for standby operation using the same parameters the Commission authorized under the STA. The tower on which the STA antenna is mounted, Antenna Structure Registration (ASR) Number 1013890, is approximately 50 meters distant from the tower (ASR Number 1221073) on which is mounted the Master Antenna authorized as part of the KOCE-DT licensed facilities. The center-of-radiation elevation of the antenna proposed for auxiliary use remains 1812 meters above mean sea level – the same as under the STA. The proposed power level also remains 855 kW ERP – the same as under the STA.

Critically, it must be noted that, despite the fact that the contour the Commission authorized under the STA extends somewhat beyond the licensed contour of KOCE-DT, the licensing of the proposed auxiliary antenna will in no way impact the Commission's current efforts at repacking the broadcast television spectrum. This result obtains from the fact that, due to an inadvertent error by the station in filing its certification of its post-transition intentions, the Commission entered the parameters of the KOCE-DT STA facilities into its database as the certified facilities of the station after repacking is

¹ At the time the STA was filed, KOCE-DT was not licensed; instead, KOCE held a construction permit for KOCE-DT. For the sake of convenience, the term "license" is used to refer to both the KOCE-DT CP and license.

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completed. *See Public Notice, DTV Channel Election Issues – Negotiated Channel Arrangements, Establishment of Form 382 Mailbox, Revisions to Form 381 Certifications, and Notification to FCC of Flash Cut Decisions*, DA 05-273, released February 1, 2005 at page 4 (correcting KOCE-DT’s “certification to reflect actual operation as described by STA authorization BMDSTA-20031105AIS”). Consequently, the facilities proposed to be licensed for auxiliary operation exactly match those that the Commission is using in its various determinations during the repacking process. Hence, there will be no harm done to the repacking process by the authorization of the proposed auxiliary facilities.

The contours of the licensed facilities and of the proposed auxiliary facilities, reusing the existing STA antenna and power level, both are shown in Figure 2 following, which was prepared using the methods prescribed in §73.625(b). (The contour of the licensed facilities is shown in red, and the contour of the proposed auxiliary facilities is shown in black.) Effective radiated power of the previously authorized STA facilities was set so that their 41 dBu contour fits inside the equivalent contour of the licensed facilities in the area with significant population capable of receiving service. The contour of the proposed auxiliary (previously, the authorized STA) facilities extends beyond the contour of the licensed facilities to the north and in a small area over the Pacific Ocean. It is understood that, under §73.1675(a), such contour extensions are normally not permitted to auxiliary facilities. Although the Rule does not explicitly apply to DTV stations (because it does not specify the contour to which it would apply for DTV stations as it does for all other stations to which it applies), a waiver nonetheless is respectfully requested in this case, if such waiver is necessary.

Because the San Gabriel Mountains are in the path in the direction of the extended contour of the KOCE-DT STA facilities, there is little or no signal increase predicted where the contour extension occurs, as determined by the Longley-Rice propagation model.² There will be some increase in signal level in the San Gabriel Mountains, but

² Maps showing comparisons between the various contours and the Longley-Rice predictions were supplied to the Commission in previous correspondence related to the STA. Please see memo from S. Merrill Weiss to Keith Larson dated September 26, 2003, re: Mt Wilson Meeting Follow-Up — Standby & STA Antenna Patterns, Figures 2-4.

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there is little or no population in that particular area. Moreover, interference analysis using the FCC's TV_Process program indicates no increase in interference to any neighboring television stations.³ Thus, there is no reason, from the standpoint of interference to other stations, that the contour extension should not be granted. Indeed, there are benefits to the public that will accrue from the contour extension, as discussed immediately below.

Benefits to the Public

The KOCE-DT license provides for operation of the Station at 1 MW ERP. At that power level, the Station provides service to the entire Los Angeles basin area with signal levels sufficient to permit reception with indoor antennas in the urban areas and with minimal outdoor antennas in the extended coverage areas. This is equivalent to the type of service that can be provided from Mt Wilson by most analog stations licensed to communities in the Los Angeles DMA.

If it were necessary to limit the KOCE-DT auxiliary facilities to those that would fit completely within the station's licensed contour, the power would have to be reduced to 80 kW ERP. At such a low power level, the service to the Los Angeles region would be severely curtailed when the station found it necessary to use its auxiliary facilities. At 80 kW, the station could provide only for service to outdoor antennas throughout the Los Angeles basin and could provide only spotty service to the extended LA market.

KOCE now seeks to complete the plan first reviewed with Commission staff at the time the STA initially was granted. By doing so, KOCE-DT will be able to maintain service to the people of the Los Angeles region comparable to what it delivers with the Master Antenna System. This is in keeping with the Commission's often-expressed interest in bringing Digital Television (DTV) to the public as soon as possible. In this instance, it will aid the continuity of the second public television DTV service to the entire Los Angeles region of nearly 14 million people.

³ Ibid., Table 1 and pgs. 3-6.

Facilities

The facilities requested in this application include operation at 855 kW ERP at an antenna radiation center height above average terrain (HAAT) of 921 meters. The relationship between these values exceeds the maximum allowable facilities specified by the formula in §73.622(f)(8)(ii) of the Commission’s Rules. It does comply, however, with the provision in §73.622(f)(5) permitting facilities “up to that needed to provide the same geographic coverage area as the largest station within their market.” The justification for these facilities remains the same as it was in the Technical Statement that accompanied the application for the previously-approved construction permit upon which the now-licensed KOCE-DT facilities are based. A summary of the requested KOCE-DT auxiliary facilities is provided in Figure 1.

The Auxiliary Antenna proposed for use by KOCE-DT is a directional cavity-slot array having three major lobes in its pattern, electrical beam tilt of 1.5 degrees, and orientation of its major lobes from approximately 70 through 290 degrees true. Power gain of the antenna at Channel 48 is 20.04 (13.02 dB) at the array maximum. A comparison of the 41 dBu noise limited contours (without dipole factor correction) produced by the licensed and the proposed auxiliary antenna patterns is included herein as Figure 2, with the licensed pattern shown in red and the proposed auxiliary pattern shown in black..

A plot of the relative field azimuth radiation pattern of the proposed Auxiliary Antenna is provided in Figure 3. The tabulated azimuth pattern values appear in Figure 4, along with the effective radiated power at the depression angle of maximum radiation (1.5°). The elevation pattern in relative field values is included as Figure 5. The related tabulated elevation pattern values are given in Figure 6, including the effective radiated power at the various depression angles in the azimuth directions of maximum radiation (i.e., 111°, 186°, and 261°).

Figure 7 gives the tabulated values of average elevations and contour distances of the proposed Auxiliary Antenna for the nine required radial directions, calculated as prescribed in §73.625(b)(1, 2, and 4). Figure 8 shows the City Grade (48 dBu, colored blue) and Noise Limited (41 dBu, colored black) contours on a map of the coverage area

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as prescribed by §73.625(b)(3). The location of the Principal Community (“City Grade”) (48 dBu) contour is positioned well beyond Huntington Beach, as required by §73.625(a)(1).

Interference Analysis

As noted above, the parameters of the proposed KOCE-DT Auxiliary Antenna facilities are those that the Commission is using in its analyses for the spectrum repacking that it is currently processing. Nevertheless, in an abundance of caution, it is deemed appropriate to discuss certain interference relationships that have been pointed out in previous applications by KOCE so that the Commission will have the complete picture available for its consideration. In particular, there are certain situations in which an analysis of interference from KOCE-DT would seem to show increased population losses to certain stations beyond what the Commission’s Rules permit, but those situations are moot for the reasons discussed below.

As elaborated in the previous KOCE-DT applications, a version of the Commission’s TV_Process program was used to perform the interference studies. A summary of the studies conducted previously is shown in Table 1. In the table, the channel, call sign, city of license, and application record number of each station studied are given in the left four columns. These are followed by the DTV baseline or Grade B contour populations⁴ in the fifth column, the population impacted by interference from the original KOCE site at La Habra Heights, CA included in the Commission’s original DTV plan in the sixth column, and the number of scenarios studied for each station in the seventh column. In the two columns on the right, the populations impacted by interference from the licensed Mt. Wilson antenna pattern are shown alongside the percent changes in population from the DTV plan values. The dashes shown on some rows indicate instances in which the TV_Process program reported that the “proposal causes no interference,” meaning that there were no cells in its initial culling study that indicated interference. Thus, in these

⁴ Since, as explained herein, all of the interference cases are moot, the interference studies prepared for earlier KOCE-DT applications have not been repeated for this Technical Statement. Consequently, the population losses reported are based on the 1990 census. Use of 2000 census data would not change the outcomes.

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cases, no further examination was required, and the number of scenarios studied was zero.

Table 1 summarizes nineteen cases considered in previous applications. Of these, two show interference to greater than the *de minimis* population increase of 2 percent. In all the other cases but one, the interference either decreased or was zero. The two cases exceeding the *de minimis* limit and the case showing a small interference population increase below the *de minimis* limit will be discussed in some detail, are heavily shaded in Table 1, and represent unusual situations that are immaterial in any event. When multiple scenarios existed for a station and were studied by TV_Process, the worst-case population increase was selected for presentation in the table.

The first case, heavily shaded in Table 1, is that of the channel re-allotment Petition for Rulemaking of KHIZ-DT in Barstow, CA. The petition sought to move the station from Channel 44 to Channel 47. Because the predicted interference (shown in Table 1 as 7.0 percent) is to the reference facilities associated with a petition for rulemaking, it is not cognizable by the Commission. Moreover, Channel 47 has already been re-allotted to Avalon, CA, under Section 531 of the Public Health, Security, and Bioterrorism Preparedness and Response Act of 2002, PL No. 107-188, 116 stat. 594, enacted June 12, 2002, which required that the Commission provide paired digital channels to stations of a certain class that had not been granted such channels because of their processing status at the time of the creation of the original DTV Table of Allotments. Predicted interference to the reference facilities of the re-allotment to Avalon, as shown on the line above the first heavily shaded line in Table 1, is negligible. Furthermore, in the ongoing FCC spectrum repacking process, KHIZ-DT has elected to operate on its DTV assignment at Channel 44 and already has been tentatively assigned that channel by the Commission, thereby ending any consideration of the station's operation on Channel 47.

The second case, also heavily shaded in Table 1, is that of the DTV Plan facilities of KHSC-DT (now, KFTR-DT). While a small increase in interference to the KHSC-DT DTV Plan facilities is shown in Table 1 as 0.38 percent, in fact, that station has been reallocated to Channel 29 from Channel 47. Indeed, in the Commission's current spectrum

Table 1 – KOCE-DT Interference Studies to Neighboring Stations Using FCC TV_Process Program

Chnl	Station	City	Application Reference Number	DTV Baseline / Grade B	La Habra Interference Population	Scenarios	Mt. Wilson Interference Population	% Change
34	KMEX-TV	Los Angeles, CA	BLCT-20030313AHD	13,747,950	—	0	—	—
40	KTBN-TV	Santa Ana, CA	BLCT-19830418KH	13,487,328	—	0	—	—
44	KXLA	Rancho Palos Verdes, CA	BLCT-20040105ACG	13,778,310	121,688	104	—	—
46	KFTR	Ontario, CA	BLCT-19840427KR	13,508,350	170,217	18	170,217	0.0
46	KFTR	Ontario, CA	BPCT-20020205AAB	13,777,846	182,066	10	182,066	0.0
47	KAZA-DT	Avalon, CA	BPRM-20020703ABG	13,494,495	30,370	1	—	—
47	KHIZ-DT	Barstow, CA	BPRM-20020815ABP	10,264,633	1,106,318	2	1,824,239	7.0
47	KHSC-DT	Ontario, CA	DTVPLN-DTVP1353	12,181,445	42,238	2	88,746	0.38
48	KECY-DT	El Centro, CA	BPCDT-19991101AHI	228,969	—	0	—	—
48	KECY-DT	El Centro, CA	DTVPLN-DTVP1381	228,969	—	0	—	—
48	KTFF	Porterville, CA	BLCDT-20020920ADD	1,329,320	—	0	—	—
48	KKAG-DT	Porterville, CA	DTVPLN-DTVP1383	1,329,320	2464	2	2464	0.0
49	KJLA-DT	Ventura, CA	BPCDT-19991101AFT	3,463,501	20,798	1	—	—
49	KSTV-DT	Ventura, CA	DTVPLN-DTVP1412	3,463,501	92,840	1	1,730,414	47.3
50	KOCE-TV	Huntington Beach, CA	BLET-19910927KE	9,825,936	84,877	8	84,877	0.0
52	KVEA	Corona, CA	BLCT-19960805KF	13,486,543	—	0	—	—
52	KVEA	Corona, CA	BPCT-20011217ABM	13,653,829	1,666,304	8	1,666,304	0.0
56	KDOC-TV	Anaheim, CA	BLCT-20021213ABJ	13,544,926	74,116	2	54,422	-0.14
56	KDOC-TV	Anaheim, CA	BPCT-20030226AAY	13,544,926	—	0	—	—

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repacking process, KFTR-DT has requested Channel 29 for its permanent operations and has been tentatively assigned that channel by the FCC. Thus, the interference predicted to it is moot under current circumstances. Moreover, as discussed immediately above, Channel 47 itself has been reallocated to KAZA-DT in Avalon, CA, the transmitter for which is collocated with KOCE-DT at Mt. Wilson and to which there is no predicted interference from KOCE-DT.

The third of the heavily shaded cases in Table 1 is that involving KSTV-DT, which is the call sign used in the DTV Plan for the station that is now KJLA-DT. KJLA-DT is another participant in the joint transmission facility at Mt Wilson. KJLA-DT and KOCE-DT specifically moved to Mt Wilson to collocate their transmitters with one another in order to improve the coverage for both and at the same time to avoid just the interference shown in the third heavily shaded case that would arise if either of them moved independently to a location like Mt Wilson. Such interference is predicted to amount to 47.3 percent when the proposed KOCE-DT antenna pattern is considered. This situation will not arise, however, since, as shown on the lightly shaded line above the third heavily shaded line, with KJLA-DT also at Mt Wilson, there is little or no interference from KOCE-DT to that station. KJLA-DT has already supplied to the Commission a letter indicating its relinquishment of interference protection to its DTV Plan facilities by KOCE-DT in order to permit the cited collocation.

The original studies have not been repeated to consider the interference impact of the small extension of the proposed contour to the north because doing so is deemed to be unnecessary. This result obtains from the fact that the only station in the list requiring study that is in the direction of the extension is KTFF-DT, Channel 48 in Porterville, CA. That station is located 239.4 km away, at a bearing of 343.2 degrees. In addition to the San Gabriel Mountains, previously described, which are relatively nearby to Mt Wilson, the path to the Porterville area is blocked by the Tehachapi Range, about 100 km distant from and rising to elevations over 2,000 feet higher than Mt Wilson. Consequently, there is no need to repeat an interference study that previously showed no interference at all during the initial culling study, when there is such a relatively small increase in power in the subject direction.

Environmental Considerations

None of the conditions specified in Section 1.1307 that would require the preparation of an Environmental Assessment pertain with respect to the proposed auxiliary facility at Mt. Wilson. In particular, because it will be part of an established antenna farm, the new operation does not implicate many of the causes for further investigation and preparation of further reports.

With respect to Radio Frequency Radiation exposure, OET Bulletin 65 provides methods for evaluating the level of exposure for both employees (occupational/controlled situations) and non-employees (general population/uncontrolled situations). The combination of the antenna radiation pattern, as determined in the manufacturer's antenna range measurements, with the antenna height above ground level and the operating power level indicate that the potential exposure would not exceed 5 percent of the Maximum Permissible Exposure (MPE) limit for general population / uncontrolled situations. Specifically, application of the formulas provided in OET-65 together with consideration of the terrain around the tower yields a maximum value of approximately 2.6 percent of the MPE. Thus, the proposed operation is categorically excluded from having to submit a detailed RF exposure analysis of the site.

Notwithstanding the foregoing, the KOCE-TV Foundation recognizes its responsibility for the safety and health of employees and contractors when exposed to RF radiation conditions. It will work cooperatively with other broadcasters sharing the Mt. Wilson antenna farm to coordinate activities so as to maintain a safe environment under all circumstances.

**Figure 1 — Technical Specifications
Proposed KOCE-DT Auxiliary Facility — Channel 48 — Mt. Wilson, CA**

Frequency

Channel	48
Frequency Band	674-680 MHz

Location

Site	Mt. Wilson Antenna Farm, CA
Geographic Coordinates (NAD27)	34° 13' 37" N 118° 03' 57" W
Antenna Structure Registration (ASR) Number	1013890

Elevation

Elevation of site above mean sea level	1737.4 m
Overall height of tower above site elevation	98.5 m
Overall height of tower above mean sea level	1835.9 m
Height of antenna radiation center above site elevation	74.6 m
Elevation of average terrain (45-degree spaced radials, 3.2-16.1 km)	891 m
Height of antenna above mean sea level	1812.0 m
Height of antenna above average terrain (HAAT)	921 m

Antenna

Manufacturer	Radio Frequency Systems
Model	RD16A-5369H6S76
Description	Cavity-slot array, 4 panels in 1 column
Orientation (rotation around vertical axis)	186° True
Electrical beam tilt in principal lobes (111°, 186°, 261°)	1.5°
Mechanical beam tilt	0.5° toward 220° True
Polarization	Horizontal
Gain (maximum in horizontal plane at 1.4° depression)	1.62 (2.11 dB)
Gain (maximum in vertical plane at 262° azimuth)	12.62 (11.01 dB)
Maximum gain (main beam)	20.51 (13.12 dB)

Power

Maximum effective radiated power (ERP) (main beam – 1.5° down)	855 kW
Maximum effective radiated power (ERP) (horizontal plane)	503.5 kW

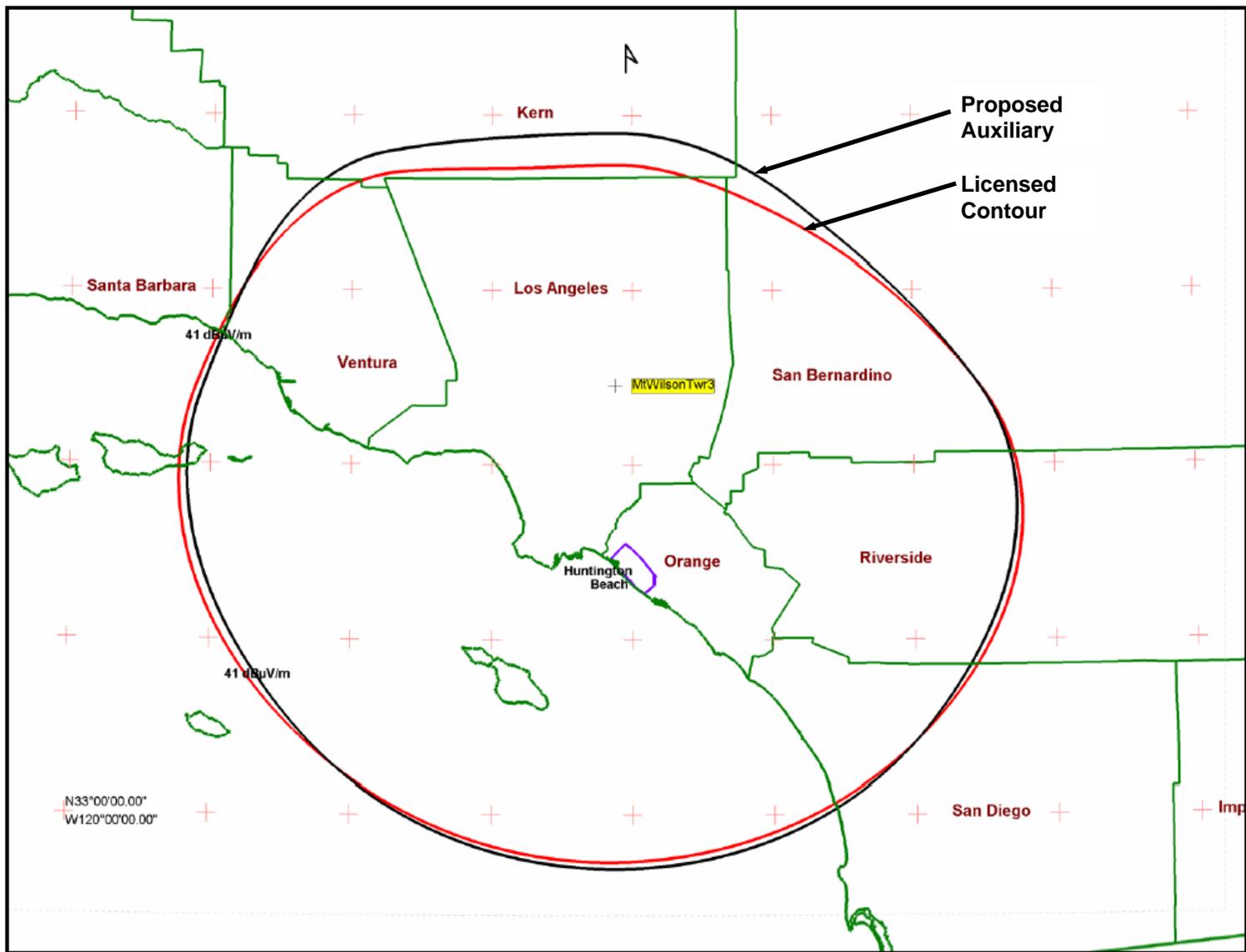
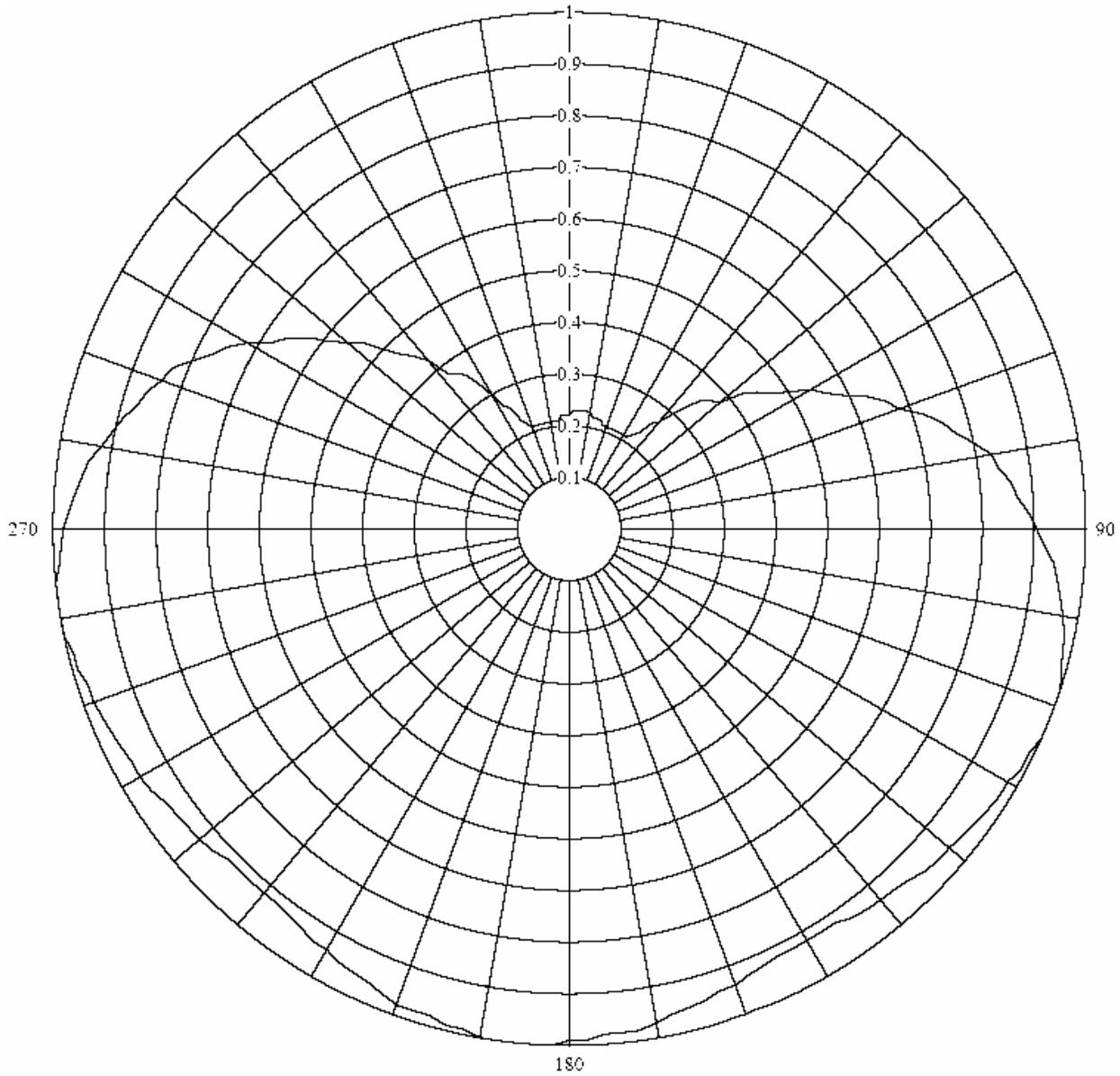


Figure 2 — Comparison KOCE-DT of Licensed & Proposed Auxiliary 41 dBu Contours

**Figure 3 — Relative Field Azimuth Pattern
RFS Model RD16A-5369H6S76
Channel 48**

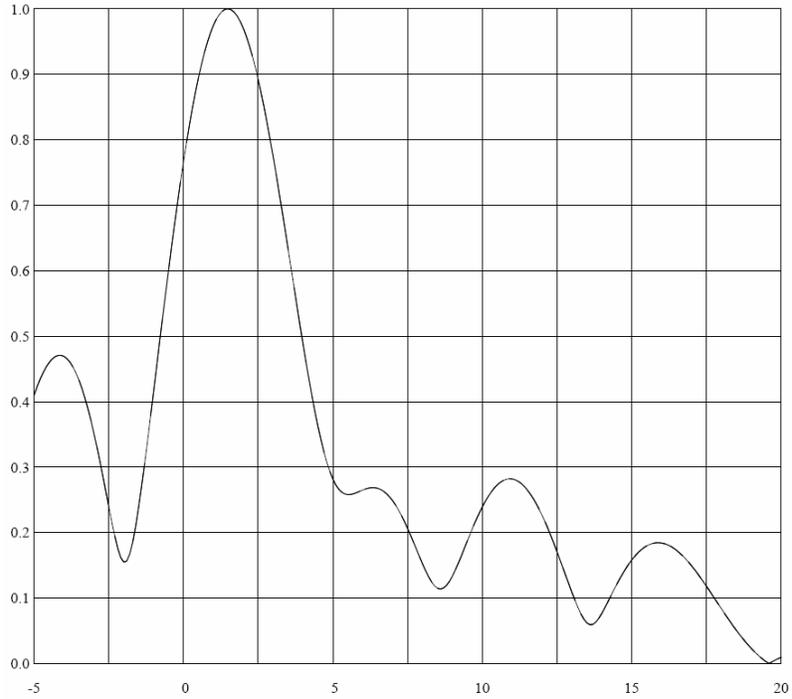


**Figure 4 — Tabulation of Azimuth Pattern Data
RFS Model RD16A-5369H6S76 Antenna — Channel 48**

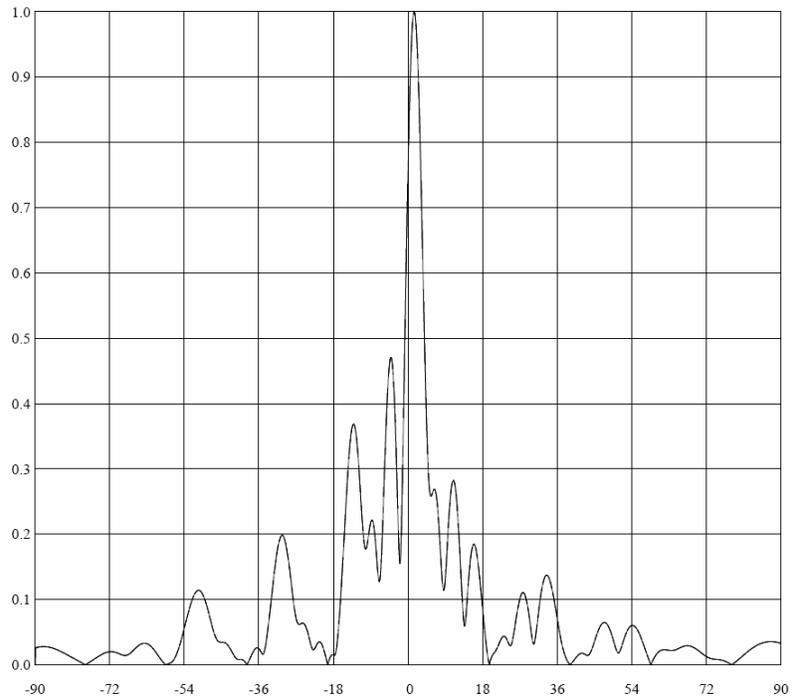
Azimuth	Relative Field	Effective Radiated Power (dBk)	Azimuth	Relative Field	Effective Radiated Power (dBk)
0	0.220	16.168	180	0.990	29.232
10	0.230	16.554	182	1.000	29.320
20	0.210	15.764	190	1.000	29.320
30	0.210	15.764	200	0.980	29.144
40	0.270	17.947	210	0.940	28.782
50	0.380	20.915	220	0.920	28.595
60	0.540	23.968	230	0.935	28.736
70	0.680	25.970	240	0.960	28.965
80	0.830	27.701	250	0.980	29.144
90	0.905	28.453	258	1.000	29.320
100	0.970	29.055	260	1.000	29.320
108	1.000	29.320	264	1.000	29.320
110	1.000	29.320	270	0.980	29.144
114	1.000	29.320	280	0.920	28.595
120	0.980	29.144	290	0.840	27.805
130	0.960	28.965	300	0.720	26.466
140	0.937	28.754	310	0.560	24.283
150	0.920	28.595	320	0.425	21.887
160	0.940	28.782	330	0.300	18.862
170	0.970	29.055	340	0.210	15.764
			350	0.210	15.764

Derived from data supplied by manufacturer

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**Figure 5a — Relative Field Elevation Pattern
RFS Model RD16A-5369H6S76
Channel 48 — -5 to +20 degrees Depression Angle**



**Figure 5b — Relative Field Elevation Pattern
RFS Model RD16A-5369H6S76
Channel 48 — -90 to +90 degrees Depression Angle**

**Figure 6 — Tabulation of Elevation Pattern Data
RFS Model RD16A-5369H6S76 Antenna — Channel 48**

Elevation Angle	Relative Field	Effective Radiated Power (dBk)	Elevation Angle	Relative Field	Effective Radiated Power (dBk)
-5	0.413	21.639	7.5	0.205	15.555
-4.5	0.462	22.613	8	0.151	12.899
-4	0.472	22.799	8.5	0.114	10.458
-3.5	0.435	22.089	9	0.133	11.797
-3	0.354	20.300	9.5	0.186	14.710
-2.5	0.240	16.924	10	0.237	16.815
-2	0.156	13.182	10.5	0.270	17.947
-1.5	0.240	16.924	11	0.279	18.232
-1	0.417	21.722	11.5	0.262	17.686
-0.5	0.602	24.912	12	0.224	16.325
0	0.768	27.027	12.5	0.168	13.826
0.5	0.896	28.366	13	0.107	9.907
1	0.975	29.100	13.5	0.061	5.026
1.5	1.000	29.320	14	0.076	6.936
2	0.970	29.055	14.5	0.119	10.831
2.5	0.891	28.317	15	0.155	13.126
3	0.773	27.083	15.5	0.175	14.180
3.5	0.632	25.334	16	0.179	14.377
4	0.487	23.070	16.5	0.167	13.774
4.5	0.361	20.470	17	0.143	12.426
5	0.281	18.294	17.5	0.112	10.304
5.5	0.257	17.518	18	0.078	7.162
6	0.264	17.752	18.5	0.046	2.575
6.5	0.267	17.850	19	0.019	-5.105
7	0.247	17.174	19.5	0.003	-21.138

Derived from data supplied by manufacturer. In azimuth directions of major lobes: 111°, 186°, & 261°.

**Figure 7 — Tabulation of City Grade & Noise Limited Contour Derivations
 KOCE-DT Channel 48 at 855 kW from Mt. Wilson
 with RFS RD16A Antenna**

Azimuth	Average Terrain Elevation (meters)	Antenna Height Above Average Terrain (meters)	Effective Radiated Power (kW)	Distance to Contour F(50,90) (km)	
				City Grade 48 dBu	Noise Limited 41 dBu
0°	1414	381	42.5	69.5	80.3
45°	1430	365	75.0	72.0	82.8
90°	1154	641	719.9	104.7	119.7
135°	429	1366	790.0	128.9	148.8
* 175°	314	1481	844.2	133.1	153.2
180°	308	1487	861.5	133.5	153.6
225°	351	1444	757.0	130.8	150.5
270°	826	969	844.2	117.7	135.1
315°	1218	577	213.6	91.8	105.4

* Heading to Principal Community — Huntington Beach, CA

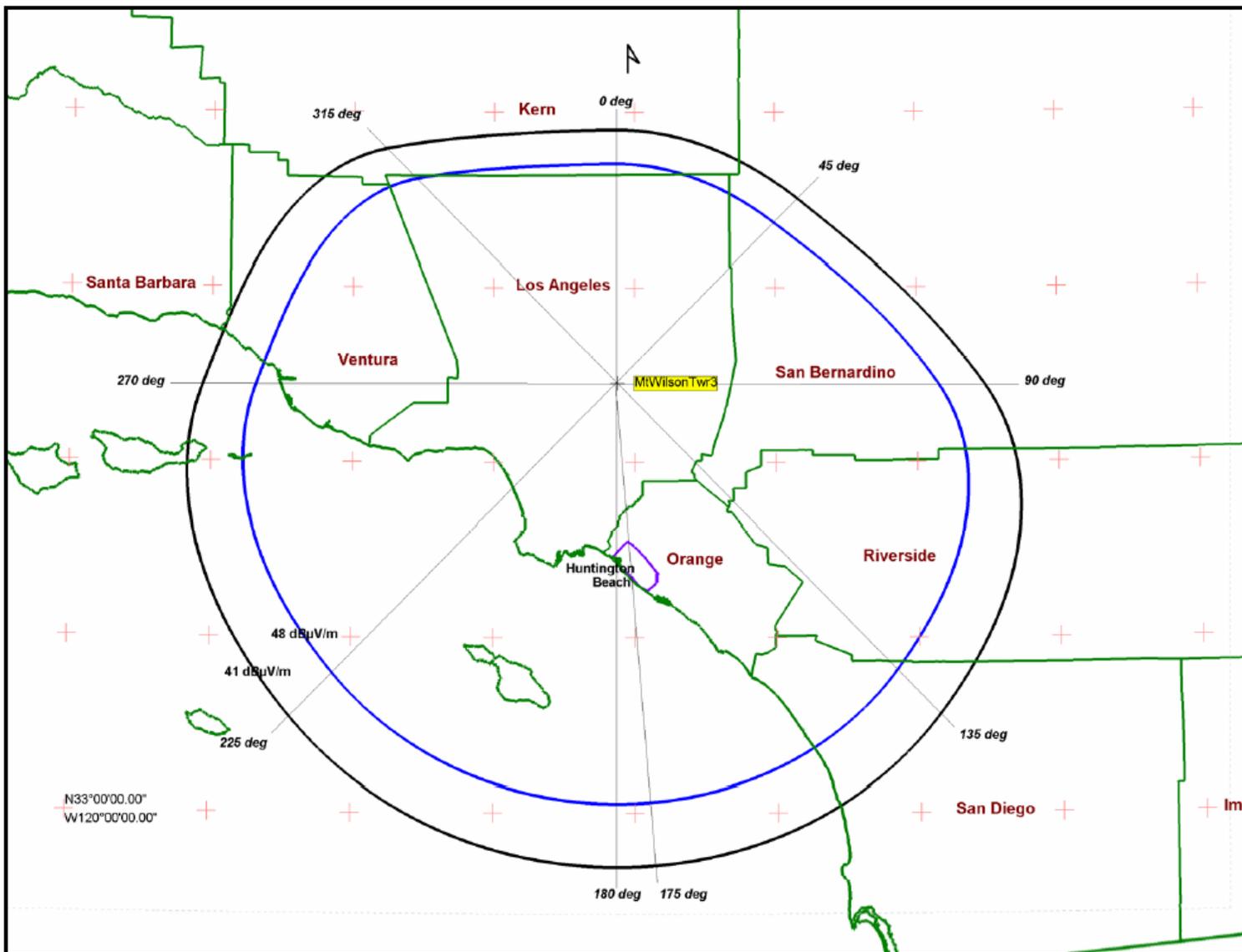


Figure 8 — Noise Limited (41 dBu) & City Grade (48 dBu) Contours of Proposed KOCE-DT Auxiliary Antenna