

## AMENDMENT

In instant amendment is precipitated by the attached September 9, 2008, e-mail (Attachment A).

At the outset, the assertion that the pending WFXU-DT application results in a loss of service to 544,229 persons is incorrect. It appears that the Commission is basing its calculations on the WFXU-DT allotted site rather than the current licensed site. *See* BLCDT-20071113ACD. From the current licensed site, 912 persons are predicted to be losing 1<sup>st</sup> service while 42,775 persons will be pickup up 1<sup>st</sup> service. *See* attached engineering coverage maps.

At the outset, it is submitted that a loss to 912 persons is *de minimus*. Moreover, the number of people losing service within the DMA is even less (i.e. 892). Furthermore, within the Tallahassee Thomasville, Florida DMA, 9,924 persons are gaining service and within the Gainesville, Florida DMA, 14,204 persons are gaining service. Clearly, the Commission must look at the fact that the gains far outweigh the losses. In this regard, the amount of persons benefited are almost four times the number of persons suffering an elimination of service. Thus, the public interest benefits are obvious.

**ATTACHMENT A**

**Aaron Shainis**

**From:** Joyce Bernstein [Joyce.Bernstein@fcc.gov]  
**Sent:** Tuesday, September 09, 2008 1:18 PM  
**To:** Aaron Shainis  
**Cc:** Kevin Harding  
**Subject:** WFXU-DT, BPCDT-20080617ABP

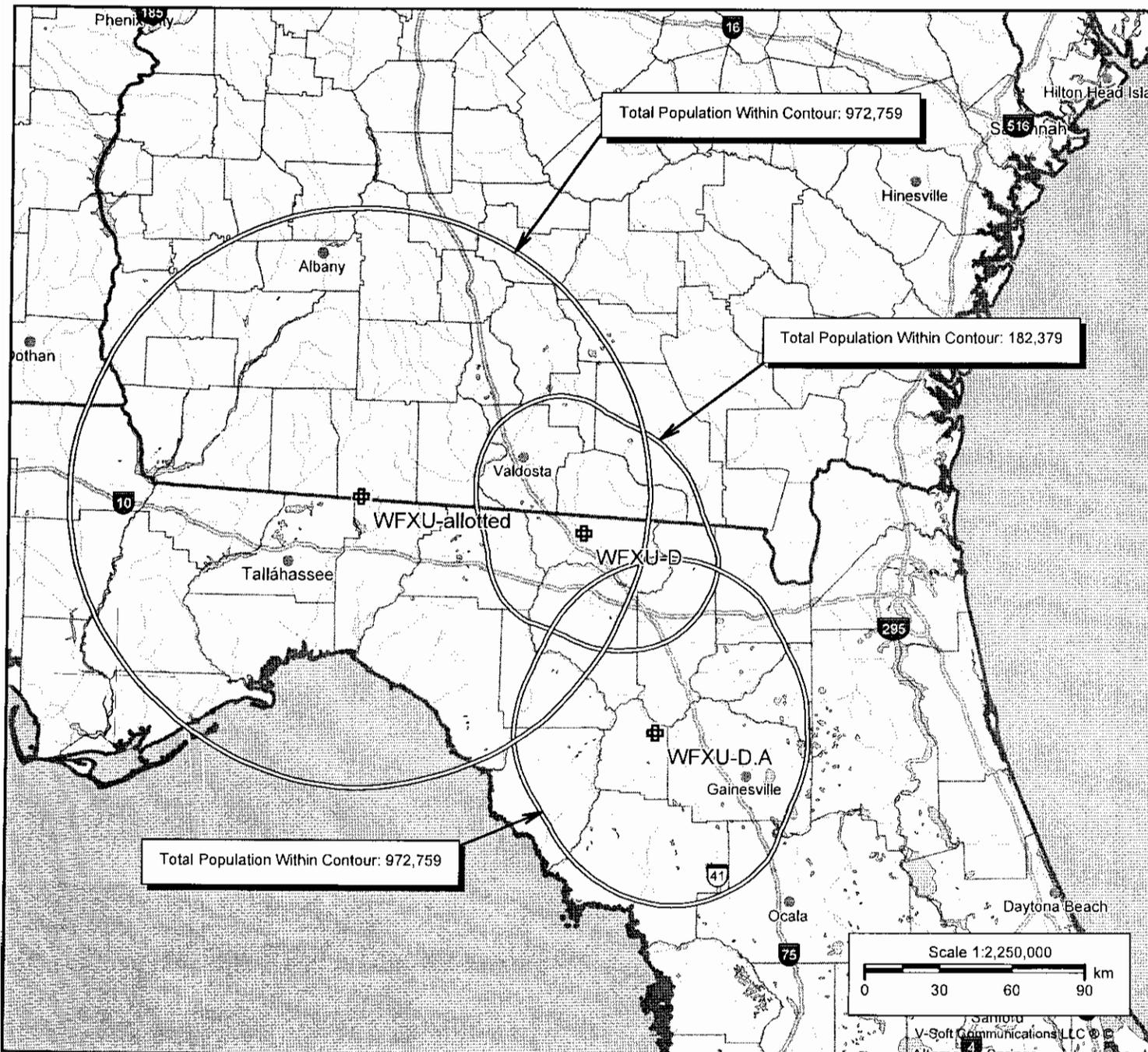
We need additional information in order to complete our processing of the above-referenced application for WFXU-DT. Our engineering review shows that the proposed facility would result in a loss of service to 544,229 persons who presently receive service from the station. Proposals that would result in a loss of TV service are inconsistent with the public interest and must be supported by a strong showing of countervailing public interest benefits. Please have your client amend the application within five business days to provide a public interest showing, including information regarding the other full power television services available to viewers in the proposed loss area.

If you have any questions, I can be reached at 202 418-1647.

Joyce Bernstein  
Attorney-Advisor  
Video Division, Media Bureau

\*\*\* Non-Public: For Internal Use Only \*\*\*

**ATTACHMENT B**

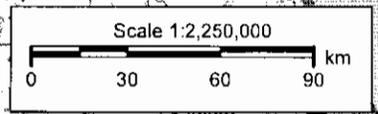


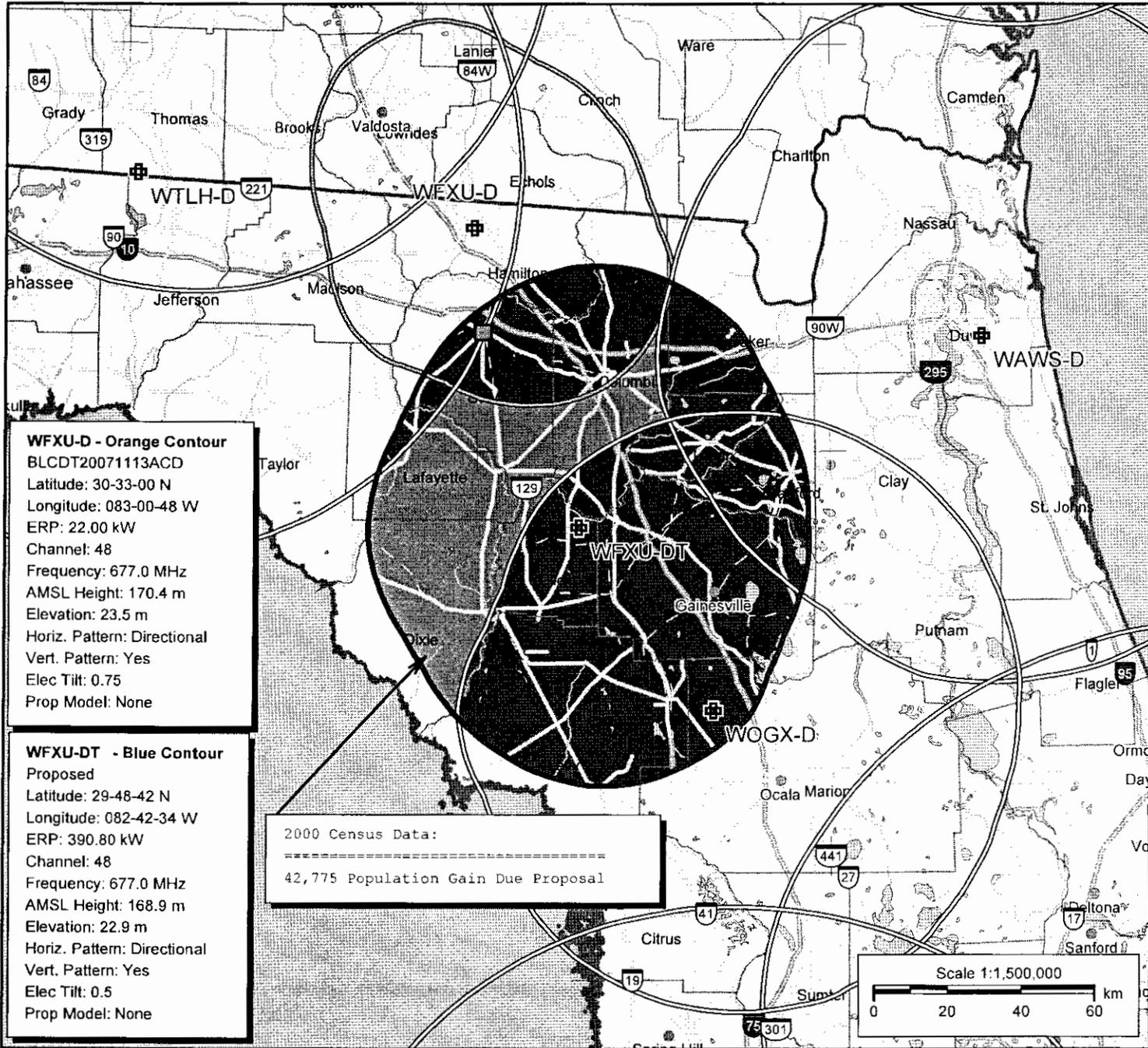
**WFXU-D**  
 BLCDT20071113ACD  
 Latitude: 30-33-00 N  
 Longitude: 083-00-48 W  
 ERP: 22.00 kW  
 Channel: 48  
 Frequency: 677.0 MHz  
 AMSL Height: 170.4 m  
 Elevation: 23.5 m  
 Horiz. Pattern: Directional  
 Vert. Pattern: Yes  
 Elec Tilt: 0.75  
 Prop Model: None

**WFXU-D.A**  
 BPCDT20080617ABP  
 Latitude: 29-48-42 N  
 Longitude: 082-42-34 W  
 ERP: 390.80 kW  
 Channel: 48  
 Frequency: 677.0 MHz  
 AMSL Height: 168.9 m  
 Elevation: 22.9 m  
 Horiz. Pattern: Directional  
 Vert. Pattern: Yes  
 Elec Tilt: 0.75  
 Prop Model: None

**WFXU-allotted**  
 Latitude: 30-40-51 N

*B*





**WFXU-D - Orange Contour**  
 BLCDT20071113ACD  
 Latitude: 30-33-00 N  
 Longitude: 083-00-48 W  
 ERP: 22.00 kW  
 Channel: 48  
 Frequency: 677.0 MHz  
 AMSL Height: 170.4 m  
 Elevation: 23.5 m  
 Horiz. Pattern: Directional  
 Vert. Pattern: Yes  
 Elec Tilt: 0.75  
 Prop Model: None

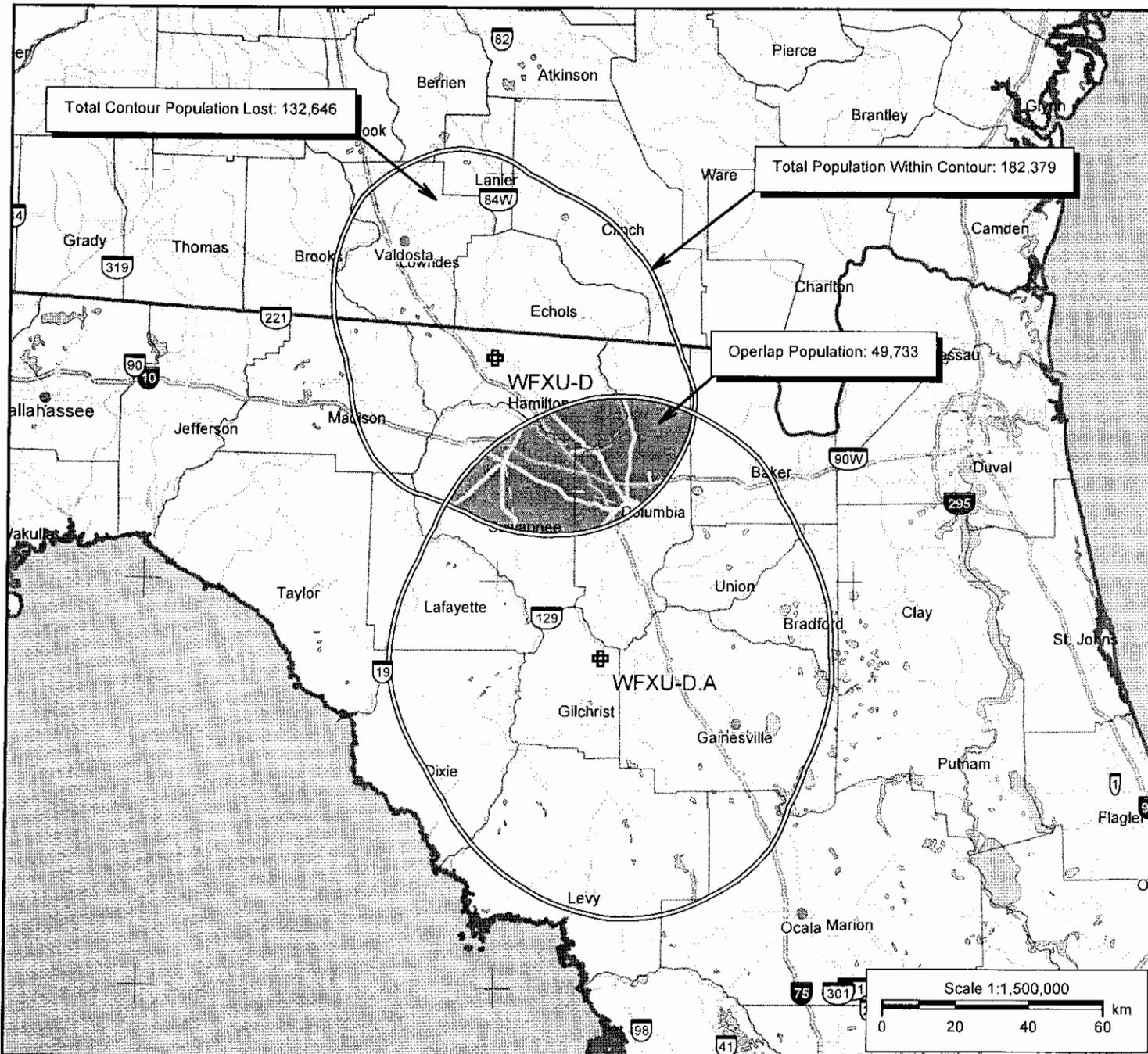
**WFXU-DT - Blue Contour**  
 Proposed  
 Latitude: 29-48-42 N  
 Longitude: 082-42-34 W  
 ERP: 390.80 kW  
 Channel: 48  
 Frequency: 677.0 MHz  
 AMSL Height: 168.9 m  
 Elevation: 22.9 m  
 Horiz. Pattern: Directional  
 Vert. Pattern: Yes  
 Elec Tilt: 0.5  
 Prop Model: None

2000 Census Data:  
 -----  
 42,775 Population Gain Due Proposal

**Fox Affiliates  
 Green Contours**

- WAWS-D  
BLCDT20030328ANQ
- WOFL-D  
BLCDT20000706AEZ
- WSVN-D.C  
BPCDT20080310ACI
- WOGX-D  
BLCDT20020730ABS
- WTLH-D  
BLCDT20061020ACP
- WTVT-D.C  
BPCDT20080311ACM
- WFLX-D  
BLCDT20020417AAP
- WFXL-D  
BLCDT20070725AFF
- WAGA-D  
BLCDT20060728AEL
- WFXG-D.C  
BMPCDT20080219ATL
- WTX-D  
BLCDT20060630ACY
- WGXA-D  
BLCDT20070501AAI
- WTGS-D  
BLCDT20070511AAJ
- WFXU-DT  
Proposed

Exhibit E2



**WFXU-D**  
 BLCDT20071113ACD  
 Latitude: 30-33-00 N  
 Longitude: 083-00-48 W  
 ERP: 22.00 kW  
 Channel: 48  
 Frequency: 677.0 MHz  
 AMSL Height: 170.4 m  
 Elevation: 23.5 m  
 Horiz. Pattern: Directional  
 Vert. Pattern: Yes  
 Elec Tilt: 0.75  
 Prop Model: None

**WFXU-D.A**  
 BPCDT20080617ABP  
 Latitude: 29-48-42 N  
 Longitude: 082-42-34 W  
 ERP: 390.80 kW  
 Channel: 48  
 Frequency: 677.0 MHz  
 AMSL Height: 168.9 m  
 Elevation: 22.9 m  
 Horiz. Pattern: Directional  
 Vert. Pattern: Yes  
 Elec Tilt: 0.75  
 Prop Model: None

Exhibit E2

**Station Culling Filter:**

- > Stations within 200km and
- > Full Service Digital and
- > channels less than 52 and
- > are licensed or permitted

**2000 Census Data:**

-----  
912 Population Loss Due Proposal

**Fox Affiliates  
Green Contours**

WAWS-D  
BLCDT20030328ANQ

WOFL-D  
BLCDT20000706AEZ

WSVN-D.C  
BPCDT20080310ACI

WOGX-D  
BLCDT20020730ABS

WTLH-D  
BLCDT20061020ACP

WTVT-D.C  
BPCDT20080311ACM

WFLX-D  
BLCDT20020417AAP

WFXL-D  
BLCDT20070725AFF

WAGA-D  
BLCDT20060728AEL

WFXG-D.C  
BMPCDT20080219ATL

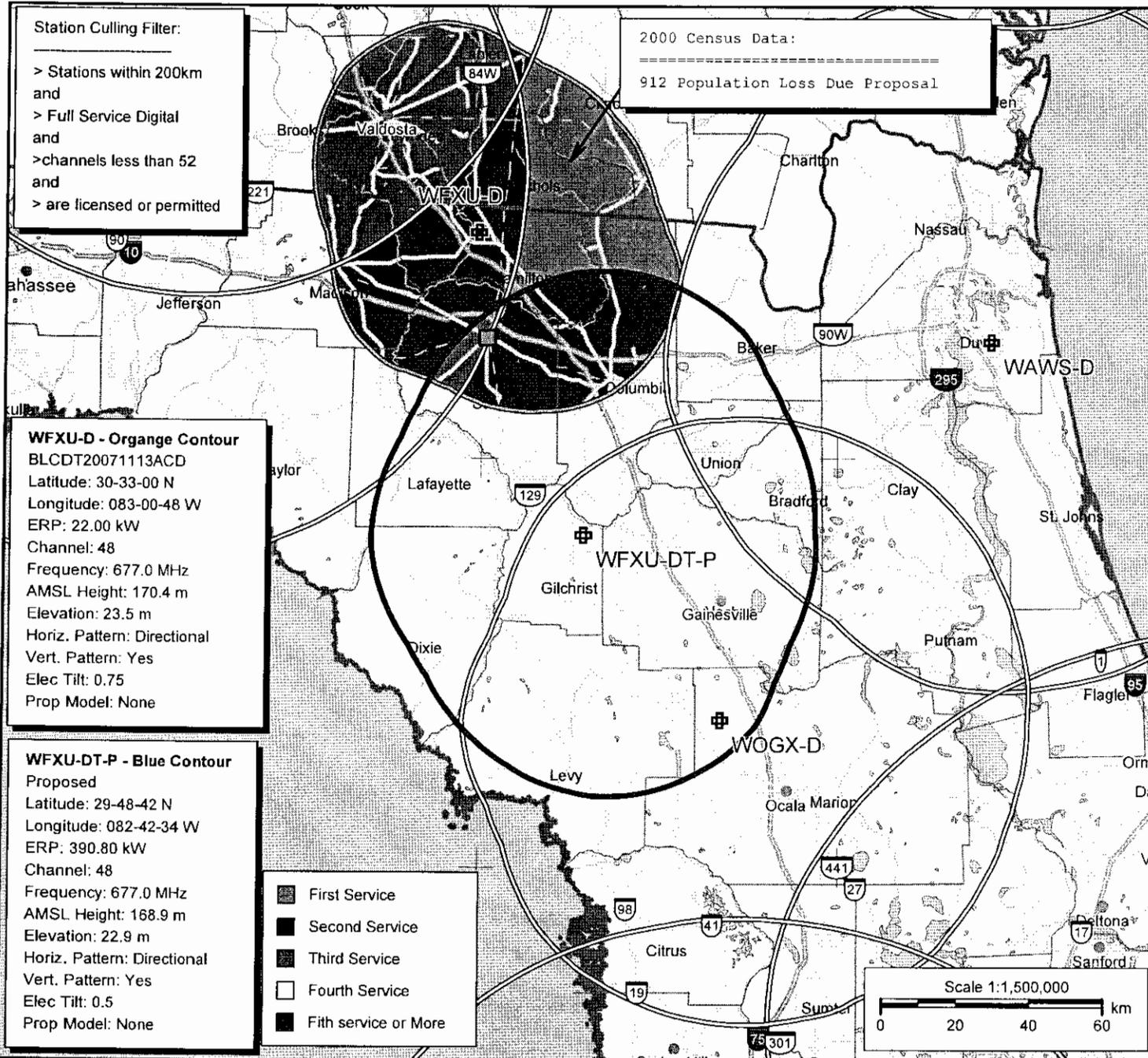
WXTX-D  
BLCDT20060630ACY

WGXA-D  
BLCDT20070501AAI

WTGS-D  
BLCDT20070511AAJ

WFXU-DT-P  
Proposed

Exhibit E1



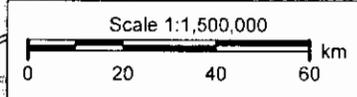
**WFXU-D - Organge Contour**

BLCDT20071113ACD  
Latitude: 30-33-00 N  
Longitude: 083-00-48 W  
ERP: 22.00 kW  
Channel: 48  
Frequency: 677.0 MHz  
AMSL Height: 170.4 m  
Elevation: 23.5 m  
Horiz. Pattern: Directional  
Vert. Pattern: Yes  
Elec Tilt: 0.75  
Prop Model: None

**WFXU-DT-P - Blue Contour**

Proposed  
Latitude: 29-48-42 N  
Longitude: 082-42-34 W  
ERP: 390.80 kW  
Channel: 48  
Frequency: 677.0 MHz  
AMSL Height: 168.9 m  
Elevation: 22.9 m  
Horiz. Pattern: Directional  
Vert. Pattern: Yes  
Elec Tilt: 0.5  
Prop Model: None

- First Service
- Second Service
- Third Service
- Fourth Service
- Fifth service or More



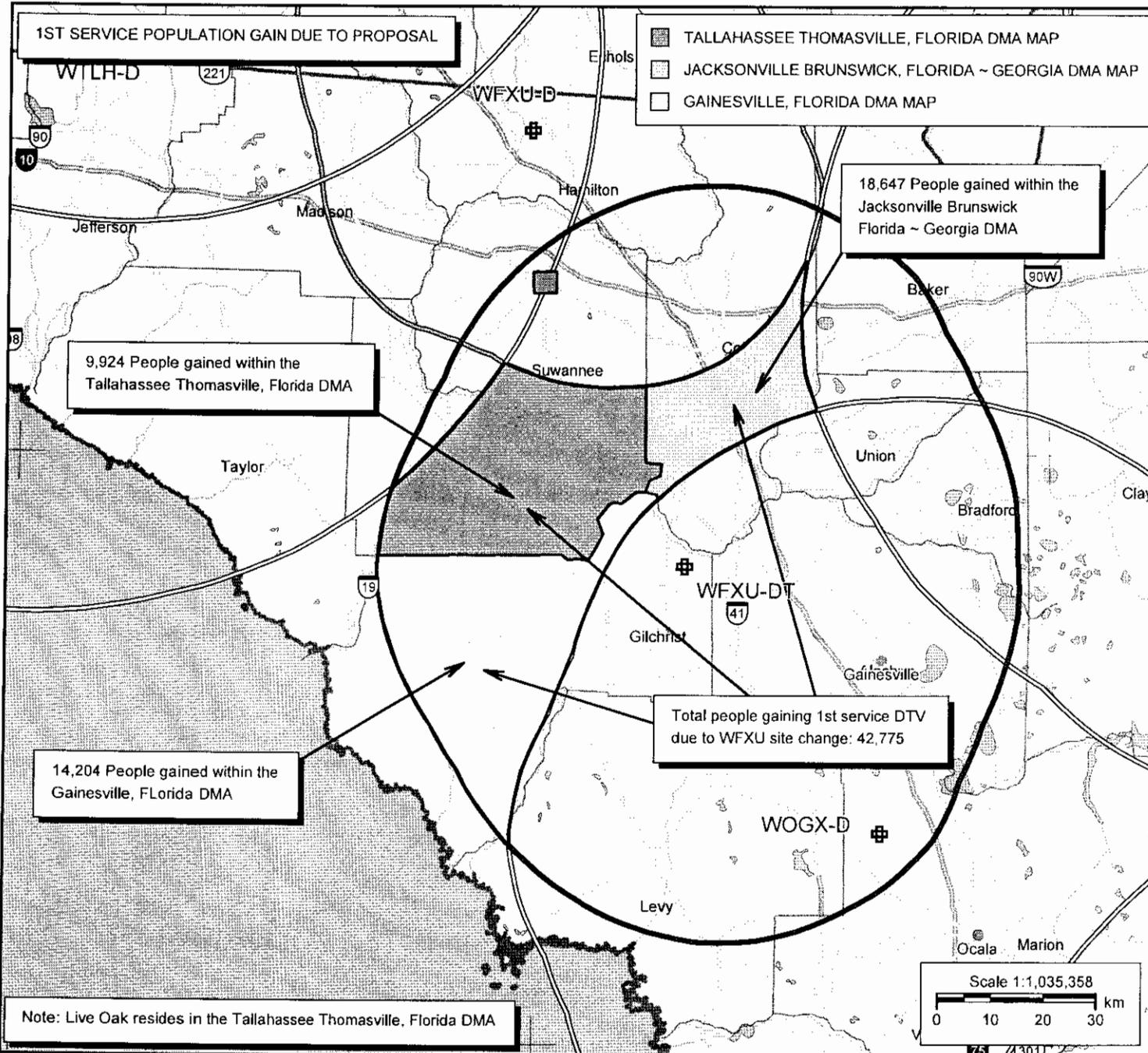
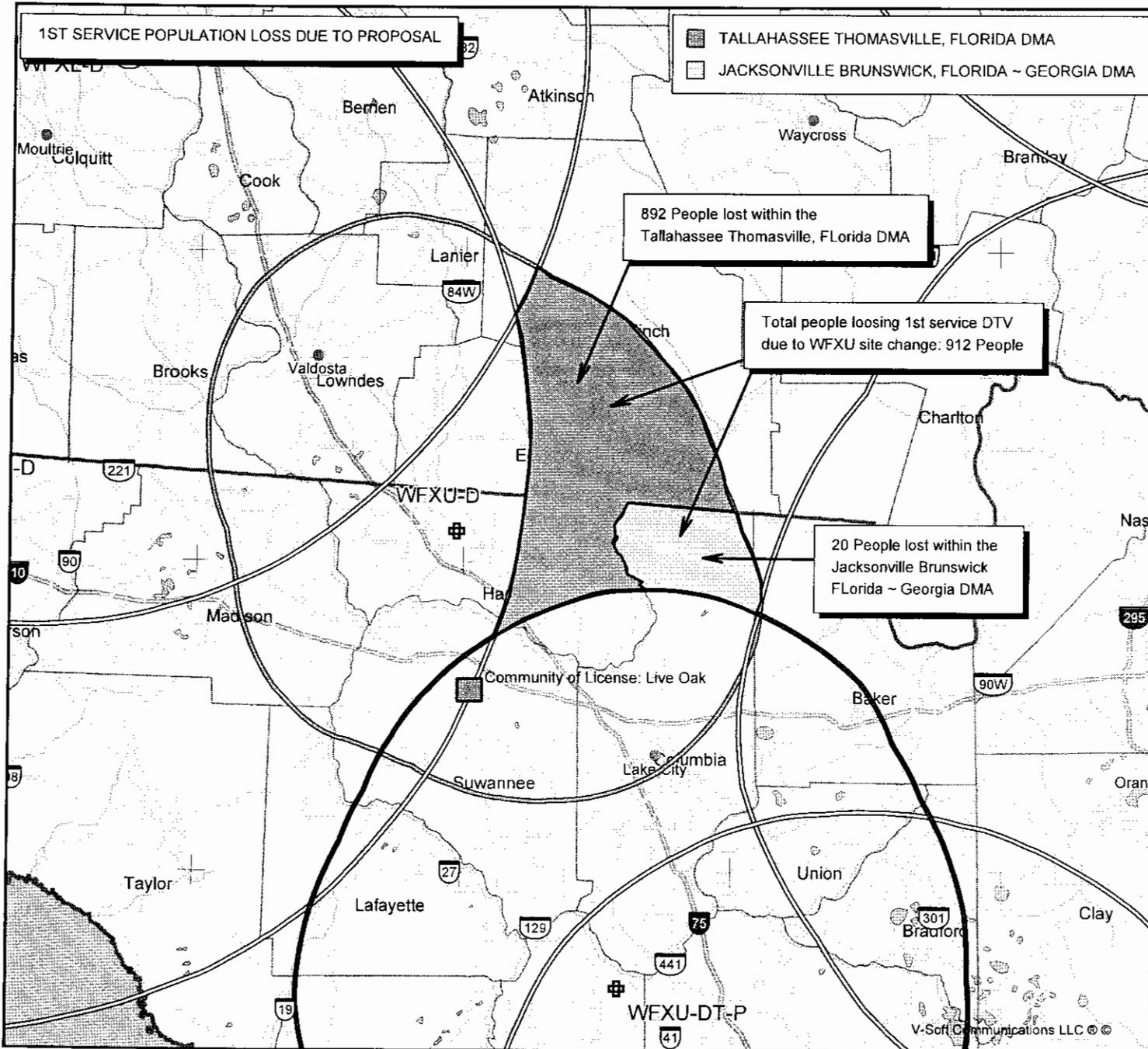


Exhibit E2



**WFXU-D**  
 BLCDT20071113ACD  
 Latitude: 30-33-00 N  
 Longitude: 083-00-48 W  
 ERP: 22.00 kW  
 Channel: 48  
 Frequency: 677.0 MHz  
 AMSL Height: 170.4 m  
 Elevation: 23.5 m  
 Horiz. Pattern: Directional  
 Vert. Pattern: Yes  
 Elec Tilt: 0.75  
 Prop Model: None

**WFTX-D**  
 BLCDT20050311ACY  
 Latitude: 26-47-42 N  
 Longitude: 081-48-05 W  
 ERP: 930.00 kW  
 Channel: 35  
 Frequency: 599.0 MHz  
 AMSL Height: 411.8 m  
 Elevation: 8.8 m  
 Horiz. Pattern: Directional  
 Vert. Pattern: Yes  
 Elec Tilt: 0.75  
 Prop Model: None