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ALLOCATION CONSIDERATIONS

Ft. Smith 46, Inc.  
Paris, AR

K53GB, which is presently licensed to operate on Channel 60 under the call sign K60EP, has been granted a certificate of eligibility for Class A status. K53GB also holds a displacement construction permit (BPTTL-19981118JE) which authorizes operation on Channel 53. Since, however, both of these channels are located outside the core spectrum, it is not possible for K53GB to obtain a Class A license for either its presently licensed facilities or the facilities authorized by this displacement construction permit. Thus, the attached application proposes to modify this construction permit, pursuant to Section 73.3572(a)(4)(ii) of the FCC Rules, to specify operation on Channel 49, which is located within the core spectrum and, thus, eligible to obtain a Class A license.

The proposed K53GB Channel 49 operating facilities will provide the required contour protection to all analog TV broadcast stations requiring protection consideration pursuant to Section 74.705 of the FCC Rules, and also to all LPTV, Class A TV, and TV Translator stations requiring protection consideration pursuant to Sections 74.707 and 74.708 of the FCC Rules. With one exception, they will also provide the required contour protection to all DTV facilities requiring protection consideration pursuant to Section 74.706 of the FCC Rules.

This one exception involves KGEB-DT - Tulsa, Oklahoma. Channel 49 is allotted to Tulsa, Oklahoma for use by KGEB-DT with a maximum effective radiated power of 50 kilowatts at 182 meters above average terrain utilizing a directional antenna to replicate KGEB's present Channel 53 analog service area. KGEB-DT also holds a con-

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struction permit (BPCDT-19991026ABX) for DTV operation from its present transmitter site with a nondirectional effective radiated power of 50 kilowatts at 182 meters above average terrain. The proposed K53GB facilities fail to provide the contour protection required by Section 74.706 of the FCC Rules to both the allotment and construction permit facilities for KGEB-DT.

Further studies were conducted utilizing the procedures outlined in FCC OET Bulletin 69 to evaluate the predicted interference to KGEB-DT from the proposed K53GB 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 and yielded results 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.

These interference studies were conducted on both the KGEB-DT DTV allotment facilities and the facilities authorized by the KGEB-DT construction permit. In conducting these interference studies, interfering NTSC stations holding a construction permit were considered to be operating with their construction permit facilities, while interfering

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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 KGEB-DT below the value which occurs when the same station's DTV allotment facilities are considered.

The results of these studies for the KGEB-DT DTV allotment facilities are tabulated in Table 6.0. Similarly, Table 6.1 presents the results of these studies for the facilities authorized by the KGEB-DT construction permit. These tables contain a complete listing of the stations which were included in each study and the facilities which were considered for each station included in the study. They also contain the output of the "FLR" program both with and without the proposed K53GB Channel 49 operating facilities.

As shown by this data, while the proposed K53GB operating facilities are predicted to cause a very slight amount of new interference to both the KGEB-DT allotment facilities and the facilities authorized by the KGEB-DT construction permit, this predicted interference falls well below the 0.5% rounding tolerance permitted in this situation for both the allotment and construction permit facilities. Thus, when analyzed utilizing the methodology outlined in OET Bulletin 69, the proposed K53GB operating facilities com-

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ply with the applicable protection requirements to both the KGEB-DT allotment and construction permit facilities.

This OET 69 analysis to KGEB-DT serves as the basis for the certification in response to Question 13(b) of Section III of FCC Form 346 that the proposed facilities protect DTV facilities as required by Section 74.706 of the FCC Rules. If it is deemed to be necessary, a waiver of Section 74.706 of the FCC Rules is respectfully requested with regard to this situation to permit the attached application to be granted in spite of this prohibited contour overlap with KGEB-DT.

TABLE 6.0

OET 69 INTERFERENCE STUDIES  
 KGEB-DT - TULSA, OK  
(ALLOTMENT FACILITIES)  
 Ft. Smith 46, Inc.  
 Paris, AR

STATION BEING STUDIED

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
KGEB-DT	Tulsa, OK	49	DTV	Allotment	

STATIONS CONSIDERED IN STUDIES

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
KTKA-TV	Topeka, KS	49	NTSC	Licensed	BLCT-19830627KF
KOPX-DT	Oklahoma City, OK	50	DTV	CP	BPCDT-19990610KE
KWHB-DT	Tulsa, OK	48	DTV	CP	BPCDT-19991005ABN
K53GB	Paris, AR	49	NTSC	Applicant	

STUDY RESULTS WITHOUT PROPOSED K53GB FACILITIES

	POPULATION	AREA (sq km)
within Noise Limited Contour	795040	13170.9
not affected by terrain losses	794648	13094.8
lost to NTSC IX	69	8.0
lost to additional IX by ATV	23370	721.5
lost to ATV IX only	23424	725.5
lost to all IX	23439	729.5

STUDY RESULTS INCLUDING PROPOSED K53GB FACILITIES

	POPULATION	AREA (sq km)
within Noise Limited Contour	795040	13170.9
not affected by terrain losses	794648	13094.8
lost to NTSC IX	450	36.1
lost to additional IX by ATV	23229	713.5
lost to ATV IX only	23424	725.5
lost to all IX	23679	749.5

TABLE 6.0(cont'd)

OET 69 INTERFERENCE STUDIES  
 KGEB-DT - TULSA, OK  
(ALLOTMENT FACILITIES)

SUMMARY OF STUDY RESULTS

	Without Proposed <u>K53GB</u>	With Proposed <u>K53GB</u>	<u>Increase/(Decrease)</u>
DTV Service	771,209	770,969	(240)
Percent Loss(Gain)*	(1.08)%	(1.04)%	0.03%

\*Percent Loss calculations are based on the benchmark DTV Service value of 763,000 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

OET 69 INTERFERENCE STUDIES  
 KGEB-DT - TULSA, OK  
(CONSTRUCTION PERMIT FACILITIES)

Ft. Smith 46, Inc.  
 Paris, AR

STATION BEING STUDIED

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
KGEB-DT	Tulsa, OK	49	DTV	CP	BPCDT-19991026ABX

STATIONS CONSIDERED IN STUDIES

<u>Call</u>	<u>Location</u>	<u>Channel</u>	<u>Mode</u>	<u>Status</u>	<u>File Number</u>
KTKA-TV	Topeka, KS	49	NTSC	Licensed	BLCT-19830627KF
KOPX-DT	Oklahoma City, OK	50	DTV	CP	BPCDT-19990610KE
KWHB-DT	Tulsa, OK	48	DTV	CP	BPCDT-19991005ABN
K53GB	Paris, AR	49	NTSC	Applicant	

STUDY RESULTS WITHOUT PROPOSED K53GB FACILITIES

	POPULATION	AREA (sq km)
within Noise Limited Contour	795069	13174.9
not affected by terrain losses	794528	13078.7
lost to NTSC IX	54	4.0
lost to additional IX by ATV	23401	733.5
lost to ATV IX only	23455	737.5
lost to all IX	23455	737.5

STUDY RESULTS INCLUDING PROPOSED K53GB FACILITIES

	POPULATION	AREA (sq km)
within Noise Limited Contour	795069	13174.9
not affected by terrain losses	794528	13078.7
lost to NTSC IX	392	36.1
lost to additional IX by ATV	23241	717.5
lost to ATV IX only	23455	737.5
lost to all IX	23633	753.5

TABLE 6.1(cont'd)

OET 69 INTERFERENCE STUDIES  
 KGEB-DT - TULSA, OK  
(CONSTRUCTION PERMIT FACILITIES)

SUMMARY OF STUDY RESULTS

	Without Proposed <u>K53GB</u>	With Proposed <u>K53GB</u>	<u>Increase/(Decrease)</u>
DTV Service	771,073	770,895	(178)
Percent Loss(Gain)*	(1.06)%	(1.03)%	0.02%

\*Percent Loss calculations are based on the benchmark DTV Service value of 763,000 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.