



Federal Communications Commission
Washington, D.C. 20554

June 18, 2015

BGM License LLC
c/o Barry Freedman, Esq.
Thompson Hine LLP
1919 M Street, N.W.
Suite 700
Washington, DC 20036-3537

Re: K26KJ, El Paso, Texas
Facility ID No. 59114
Virtual Channel Clarification

Dear Counsel:

This is in reference to BGM License, LLC's ("BGM") request to clarify its virtual channel¹ number pursuant to ATSC A/65C ("ATSC Program and System Information Protocol for Terrestrial Broadcast and Cable, Revision C With Amendment No. 1 dated May 9, 2006") ("PSIP Standard"). BGM is the licensee of the K26KJ, El Paso, Texas, analog RF channel 26 and permittee of digital RF channel 26.² Once K26KJ begins operation on digital RF channel 26, we direct BGM to operate the station on virtual channel 25.³

The PSIP Standard explains, "For broadcasters with existing NTSC licenses, the major channel number for the existing NTSC channels, as well as the digital virtual channels, controlled by the broadcaster, shall be set to the current NTSC RF channel number."⁴ Furthermore, the Standard states, "If, after the transition, a previously used NTSC RF channel in a market is assigned to a newly-licensed DTV broadcaster in that market, the newly-licensed DTV broadcaster shall use, as his major channel number, the number of the DTV RF channel originally allocated to the previous NTSC licensee of the assigned channel."⁵

¹ A station's virtual channel number is comprised of its major channel number and minor channel number. The first part of the two-part number is called the "major" channel number, and the second part of the channel number is called the "minor" channel number. The minor channel number identifies one program service within the group of services defined by the major channel number. *ATSC Recommended Practice: Program and System Information Protocol Implementation Guidelines for Broadcasters* (Document A/69:2009, December 25, 2009) at 49 (available at http://www.atsc.org/cms/standards/a_69-2009.pdf).

² File No. BDFCDL-20110912ABP.

³ Low power television stations are not required to implement the PSIP Standard, but may do so should they choose to. *Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television, Television Translator, and Television Booster Stations and to Amend Rules for Digital Class A Television Stations*, Report and Order, 19 FCC Rcd 19331, 19411-13 (2004).

⁴ PSIP Standard, Annex B at 1.1.

⁵ *Id.* at 1.4

Here K26KJ will be newly licensed on digital RF channel 26. However, KINT-TV, El Paso, Texas currently operates on virtual channel 26 and therefore K26KJ cannot operate on virtual channel 26 as the two stations have overlapping service contours.⁶ Therefore, we direct K26KJ to operate on virtual channel 25, KINT-TV's digital RF channel number.

Accordingly, IT IS ORDERED That, BGM License, LLC operate station K26KJ, El Paso, Texas on virtual channel 25.

Sincerely,

Hossein Hashemzadeh
Deputy Chief, Video Division
Media Bureau

⁶ PSIP Standard, Annex B at 1.8.