

KXLF-TV, Butte, Montana (Facility ID No. 35959)
Request for Experimental Authority to Increase VHF ERP
October 2010

KXLF Communications, Inc. ("KXLF"), licensee of KXLF-TV, Butte, Montana, hereby requests experimental authority pursuant to Sections 74.102 and 74.131 of the Commission's rules for KXLF-TV to increase VHF power to 15 kW.

Background. As KXLF informally has advised the Commission, since KXLF-TV switched on June 12, 2009 to post-transition operations on VHF Channel 5, KXLF has received numerous reports of reception difficulties from viewers dispersed throughout its service area. These complaints generally are from viewers who relied upon and received analog service from KXLF-TV. In the months since last year's transition, a number of viewers have been able to restore service through a variety of means, including receiving antenna replacement or relocation. Based upon complaints that KXLF continues to receive, however, it is apparent that many viewers have been unable to restore relied-upon service. This is especially true for viewers located south of Butte in the communities of Ennis, Sheridan, Twin Bridges, and Whitehall. Several translators report as well that they now are forced to rely on DBS delivery instead of over-the-air reception of the KXLF-TV signal. As the Commission is well aware, stations throughout the country that operate in the VHF band have experienced similar service losses, and, while a number were forced to abandon their VHF channel,¹ many found that an increase in VHF ERP greatly improved viewer reception.²

Request. Because many viewers have been unable to restore relied-upon service months after the end of the DTV transition, KXLF hereby respectfully requests experimental authorization to increase VHF power to 15 kW. Operation at this power level will result in a service area generally matching the station's traditional analog Grade B contour.³ The 15 kW ERP level and other operating parameters already have been approved by Canada, so further international coordination for this proposal is not required.⁴

Based upon the experience of similarly situated VHF stations, KXLF believes that the proposed VHF power increase will improve viewer reception greatly. In support of KXLF's conclusion that viewers are experiencing loss of relied-upon service, the attached Exhibit E-5 demonstrates the predicted loss of service based upon KXLF-TV's current operating power.

¹ See, e.g., Oklahoma City, Oklahoma, *Report and Order*, 25 FCC Rcd 2276 (2010).

² See, e.g., FCC File No. BDSTA-20091218ACS (approving an increase in ERP for WUSA(TV) on VHF Channel 9); FCC File No. BEDSTA-20091117AAG (approving an increase in ERP for WJLA-TV on VHF Channel 7); FCC File No. BDSTA-20091001ADW (increasing ERP for WTVD(TV) on VHF Channel 11).

³ See FCC File No. BMPCDT-20080620AFJ, Exb. 47, p. 1.

⁴ See Agreement Between the Government of the United States of America and the Government of Canada Concerning the Allotment and Assignment of Television Broadcasting Channels, Table B (Dec. 15, 2008).

KXLF recognizes that operation at 15 kW exceeds the limits in Section 73.622(f)(6) and therefore respectfully requests waiver of this rule. Waiver would serve the public interest by allowing KXLF to attempt to restore relied-upon service to viewers. No station or viewer would be harmed by grant of the waiver as no impermissible interference is predicted. It is noted that the Commission has granted a similar waiver to Butte's other low-VHF broadcast television station.⁵

KXLF believes that no interference would be caused by operating with the facilities proposed herein. In the unlikely event that objectionable interference is caused, KXLF is willing to take all reasonable steps to eliminate such, including modifying operating parameters or ceasing operation, if necessary. KXLF understands that grant of this request does not provide any permanent authority to operate the station in the manner proposed.

⁵ See FCC File No. BPCDT-20100409AAZ

