

Exhibit 41 - Statement A
NATURE OF THE PROPOSAL
ALLOCATION CONSIDERATIONS

prepared for
Multimedia Entertainment, Inc.
WGRZ-DT Buffalo, New York
Facility ID 64547
Ch. 33 534 kW 278 m

Multimedia Entertainment, Inc., licensee of analog television station WGRZ-TV (Channel 2, Buffalo, NY), has an application pending to construct the paired WGRZ-DT facility on Channel 33 (file number BPCDT-19991020ABG, Facility ID 64547). The pending application proposes an effective radiated power (ERP) of 1000 kW and an antenna height above average terrain (HAAT) of 293 meters. The purpose of the instant amendment is to reduce the ERP to eliminate a conflict with Canadian coordination. The proposed antenna's HAAT is also changed herein to correspond with terrain data on file at the Commission regarding WGRZ-TV.

“Checklist” Criteria

The instant proposal does not require an interference study under the present requirements of §73.622(f)(2) of the Commission's rules. Specifically, (1) the proposed DTV Channel 33 was established for this station under §73.622(b); (2) the proposed facility will operate from a site within 5 km from the DTV reference site¹ for WGRZ-DT established under §73.622(d)(1); and (3) the proposed facility will operate with an ERP and antenna HAAT of 534 kW and 278 meters, which does not exceed the DTV reference ERP and HAAT established for this station (1000 kW ERP and 287 meters HAAT) under §73.622(f)(1), as described in the following.

The WGRZ-DT DTV antenna will be mounted *below* the reference height (at 278 meters HAAT as opposed to 287 meters HAAT; a difference of 9 meters). In this case, the reference ERP may be adjusted upward 0.2767 dB using the formula and method described in §73.622(f)(3) of the Commission's

¹The proposed site for WGRZ-DT is the existing WGRZ-TV transmitter site. The coordinates differ by one second latitude and one second longitude from the reference DTV coordinates, due to corrected site data resulting from the Commission's Antenna Structure Registration program.

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rules. Thus, at the proposed HAAT the adjusted reference ERP becomes 1065.8 kW (i.e.: 0.2767 dB higher than the allotted 1000 kW).

The adjusted reference ERP refers only to the *maximum* ERP that may be achieved by the DTV station. However, actual maximum ERP values vary by azimuth. The Commission's replication process developed a directional antenna pattern for the reference WGRZ-DT in order to match the distance to the analog Grade B contour with the DTV coverage contour. The WGRZ-DT reference directional antenna pattern (repNYBUFFALO___33) was obtained from the Commission's database and used to develop maximum ERP levels. Using this antenna pattern, the reference WGRZ-DT facility was found to achieve a minimum relative field of 0.811, which occurs along bearings of 320 and 330 degrees True. Considering the adjusted reference ERP of 1065.8 kW for WGRZ-DT, the minimum reference ERP for WGRZ-DT is 701 kW along any radial. The proposed 534 kW does not exceed the reference facility's minimum ERP, and thus does not exceed the reference pattern envelope. Accordingly the instant proposal is a "checklist" application and is not subject to the interference analysis provisions of §73.623(c).

Canadian Considerations

The proposed WGRZ-DT transmitter site is located 34.3 km from the U.S. - Canadian border and is thus within the 400 km coordination zone. The applicant was advised by the Commission by letter dated July 11, 2001 that the Commission's review of the pending 1000 kW WGRZ-DT application showed that the facility may not protect Canadian facilities as described in the current *Letter of Understanding*² ("LOU") regarding digital television (DTV) along the U.S. - Canadian Border. Specifically, the Canadian allotment for CBLT-DT-1, DTV Channel 33, Barrie, ON. CBLT-DT-1 is a Canadian Class "VU" facility, and, according to the LOU, WGRZ-DT is required to limit its ERP to 3 dB below the allotted ERP to

²*Letter of Understanding Between the Federal Communications Commission of the United States of America and Industry Canada Related to the Use of the 54-72 MHz, 76-88 MHz, 174-216 MHz, and 470-806 MHz Bands for the Digital Television Broadcasting Service Along the Common Border, September 2000.*

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protect CBLT-DT-1. The instant amendment provides a reduction in ERP which is intended to meet the requirements of the *LOU*.

As described above, the WGRZ-DT reference ERP may be adjusted upward 0.2767 dB per §73.622(f)(3), since the proposed antenna HAAT is less than the allotted value. To satisfy the *LOU*, the ERP is then adjusted downward by 3 dB. Accordingly, the maximum ERP at the proposed antenna HAAT to satisfy the *LOU* is 30 dBk (1000 kW) plus 0.2767 dB minus 3.0 dB, resulting in an ERP of 27.2767 dBk, or 534 kW. The DTV station ERPs considered in the *LOU* do not incorporate DTV reference facility directional antenna patterns (based on informal discussions with Commission Staff), and therefore are not incorporated in this determination. Thus, the 534 kW proposed herein is believed to comply with the *LOU*.

Further, the attached **Exhibit 41 - Figure 1** provides a depiction of “equivalent” protection to CBLT-DT-1. A protected service area radius of 82 km is shown for CBLT-DT-1. The interfering contours³ of 12.4 dBμ F(50,10) for the *LOU*’s allotted⁴ (500 kW / 287 m) and proposed (534 kW / 278 m) WGRZ-DT facilities are also supplied on the map. As demonstrated thereon, the proposal would not extend the interfering contour towards the CBLT-DT-1 protected service area.

Other Considerations

With respect to television stations that have been granted a Class A License or hold a Class A Construction Permit, or are existing Low Power Television (LPTV) stations that are eligible for Class A status, it is noted that the instant proposal complies fully with the Commission’s “checklist” criteria. Class

³The 28.4 dBμ F(50,10) interfering contour level was established by the protected 39 dBμ signal level, minus 19.5 dB (DTV into DTV U/D ratio per the *LOU* Appendix 2 paragraph 2), minus 7.1 dB (to obtain F(10,10) signal level from F(50,10) curves per the *LOU* Appendix 2, paragraph 3). $39 \text{ dB}\mu - 19.5 - 7.1 = 12.4$

⁴The *LOU* “allotted” ERP as employed in **Figure 1** of 500 kW is the FCC “Appendix B” WGRZ-DT allotted 1000 kW, reduced by 3 dB.

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A stations are required to provide interference protection to DTV allotments, and “checklist” applications, such as the case at hand, are not required to comply with interference criteria. Thus, the instant application is not required to provide protection to any station eligible for Class A status.

The proposed WGRZ-DT antenna system will be mounted on an existing antenna supporting structure, having FCC Antenna Structure Registration number 1013220. No change in overall tower structure height is proposed as a result of this proposal.

The antenna HAAT specified herein is based on the use of terrain data contained within the WGRZ-TV engineering material on file at the Commission (see terrain profile graphs and associated data from BPCT-3826, July, 1966).

Conclusion

For the reasons described above, it is believed that the instant proposal complies with the Commission’s allocation Rules and policies regarding NTSC, DTV, and Class A stations and complies with the U.S. - Canadian *LOU*.

prepared September 2001 for
Multimedia Entertainment, Inc.
WGRZ-DT Buffalo, New York
Facility ID 64547


Cavell, Mertz & Davis, Inc.
Fairfax, Virginia

WGRZ-DT	
Ch. 33 Buffalo, NY	
12.4 dBu F(50,10)	
—	Allotted Facility (-3 dB) 500 kW 287 m
—	Proposed Facility 534 kW 278 m

CBLT-DT-1
Ch. 33 Barrie, ON
Protected Coverage 82 km Radius
Site

WGRZ-DT
Site

Scale 1:3,000,000



0 40 80 120 km

