

Exhibit 44 – Statement A  
**NATURE OF THE PROPOSAL**  
**PROPOSED ANTENNA SYSTEM**

prepared for  
**Guenter Marksteiner**  
WHDT(TV) Stuart, Florida  
Facility ID 83929  
Ch. 44 1,000 kW 71 m

*Guenter Marksteiner* (“*Marksteiner*”) is the permittee of digital television station WHDT(TV), Channel 59, Stuart, Florida (see BPCDT-19960920LH). *Marksteiner* herein requests authorization to construct its post-transition facility for WHDT(TV) in accordance with the guidelines found in the Third Periodic Review<sup>1</sup>. During the Second Round Election, *Marksteiner* submitted Form 384 and specified Channel 44 as its Channel Election preference. The instant proposal will not extend the noise-limited service contour in any direction beyond that of the Appendix B<sup>2</sup> facility and thus can be considered a “checklist” application. The facility proposed herein will commence operation promptly following the Congressionally mandated termination by February 17, 2009 of analog transmissions.

The location proposed for WHDT(TV)’s post-transition facility is the currently authorized WHDT(TV) digital site. The tower is registered with the FCC, Antenna Structure Registration Number 1045227, although a one-second discrepancy has recently been noted. *Marksteiner* will employ a new antenna with a lower center of radiation than the “Appendix B” DTV Channel 44 antenna for the proposed WHDT(TV) post-transition digital facility. Prior to construction the ASR will be updated to conform the coordinates and, if appropriate, to reflect a reduced overall structure height. The antenna will be a MIG model BA24-H/V-C (0.653), omnidirectional antenna.

**Exhibit 44 - Figure 1** provides a map depicting the service contour and the required principal community coverage contour of the proposed facility. As demonstrated therein, the principal community of Stuart, Florida is predicted to receive the enhanced signal level as required in §73.625(a) of the Commission’s Rules. Also depicted on the map is the service

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<sup>1</sup> See paragraph 140, *Report and Order, Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion To Digital Television*, MB Docket No. 07-91, FCC 07-228, Released December 31, 2007.

<sup>2</sup> See *Seventh Report And Order and Eighth Further Notice of Proposed Rule Making, Advanced Television Systems and their Impact Upon the Existing Television Broadcast Service*, MB Docket No. 87-268, FCC 07-138, released August 6, 2007.

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contour of the Appendix B facility. As demonstrated on the map, the proposed facility does not expand the station's facilities beyond its final post-transition DTV Table Appendix B facility. Due to the 1,000 kW ERP limit for UHF facilities, it was not possible to exactly replicate the Appendix B facility from the lower antenna height. However, the population within the 41 dBμ service contour of the proposed facility matches within one percent the population of the Appendix B facility.

The proposed WHDT(TV) site is located more than 400 km from the nearest points on the Canadian and Mexican borders and does not require international coordination. The nearest FCC monitoring station is at Vero Beach, Florida, at a distance of 111.9 km from the proposed site. This exceeds by a great margin the threshold minimum distance specified in §73.1030(c)(3) that would suggest consideration of the monitoring station. The proposed site is also located outside the area specified in §73.1030(a). Thus, notification of the instant proposal to Green Bank, West Virginia, is not required. There are no AM broadcast stations located within 3.2 km from the proposed site according to the Commission's engineering database.

Thus, this proposal is believed to be in compliance with the current Commission's Rules and policy with respect to allocation matters and complies with the Report and Order regarding expedited processing.

