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WRITER'S DIRECT DIAL

December 31, 2009

VIA CDBS Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, MD 20743

Attention: Video Division
Media Bureau

**Re: WBAL-TV, Baltimore, Maryland
Extension of BDSTA-20090713ACP and Request for
Part 74 Experimental Broadcast Station Authorization**

Dear Ms. Dortch:

Pursuant to Section 74.102, *et seq.*, of the Commission's Rules, WBAL Hearst Television Inc. ("Hearst"), licensee of Digital Television Station WBAL-TV, Baltimore, Maryland, hereby requests experimental broadcast station authorization to continue operating WBAL-TV pursuant to the technical parameters of the above-referenced authorization with an

increased effective radiated power (“ERP”) of 26.6 kW for the purpose of carrying on research and experimentation for the advancement of high-band VHF digital television reception.

On July 21, 2009, the Video Division granted WBAL-TV special temporary authority (“STA”) in BDSTA-20090713ACP. As required by the authorization, on August 6, 2009, Hearst notified the Video Division that WBAL-TV’s STA operation would commence on Monday, August 10, 2009. On September 11, 2009, Hearst filed a request to extend WBAL-TV’s STA which remains pending. The instant filing supplements that extension request.

Hearst desires to continue operating WBAL-TV with 26.6 kW ERP pursuant to Section 74.102 because of post-transition viewer reception problems experienced immediately after the digital transition on June 12, 2009. WBAL-TV’s post-transition construction permit in FCC File Number BPCDT-20080312AAT and pending license application in FCC File Number BLCDT-20090619ABW authorize operation with 5.0 kW ERP on high-band VHF Channel 11. After WBAL-TV commenced operation of its post-transition 5.0 kW ERP DTV facility, Hearst received numerous complaints of poor or no reception from viewers. Hearst confirmed the reception issues with multiple field tests, including some tests in coordination with the FCC’s field office.

As the Video Division is aware, high-band VHF digital reception issues like those WBAL-TV is facing have been experienced by many stations across the country, particularly in the northeast, and power increases have been helpful in mitigating such problems. Pursuant to WBAL-TV’s 26.6 kW ERP STA, Hearst conducted extensive field measurement tests during August 2009, and continues to operate pursuant to the experimental parameters. Hearst’s field tests, which have been submitted to the Video Division under separate cover, have shown that operation with an ERP of 26.6 kW has successfully resulted in substantial improvement to viewers’ reception of WBAL-TV.

In accordance with Section 74.131, Hearst submits that continued operation with 26.6 kW will permit WBAL-TV to further its research and experimentation with the power increase in an effort to contribute to a better understanding of high-band VHF reception issues, that Hearst is prepared to continue with its program of research and experimentation, that the increased power is essential to WBAL-TV’s research and experimentation, and that Hearst and its personnel are qualified to conduct the research and experimentation.

In connection herewith, and only to the extent required, Hearst respectfully requests waiver of Section 74.131(c), which prohibits experimental broadcast station authorizations that would cause objectionable interference to another station. Hearst submits that while the proposed continued operation with 26.6 kW is theoretically predicted to cause interference in excess of the 0.5 percent limit in Section 73.616(e) of the Commission’s Rules with respect to certain stations, no such actual interference from WBAL-TV’s 26.6 kW STA operation has been reported.

Specifically, WBAL-TV's 26.6 kW operation is predicted to cause interference to the following four television stations:

- 1) WHTM-TV, Harrisburg, PA
- 2) WWPX-TV, Martinsburg, WV
- 3) WVPT(TV), Staunton, VA
- 4) WBRE-TV, Wilkes-Barre, PA

Hearst coordinated WBAL-TV's 26.6 kW ERP STA operation with each of the above stations. None of the stations objected to WBAL-TV's STA operation and none of the stations has reported any actual detrimental impact from WBAL-TV's STA operation, which commenced on Monday, August 10, 2009.

Hearst submits that the improvement of service to local broadcast viewers in Baltimore, which has been successfully operating under an STA for over four months without any reports of any actual interference to any of the potentially affected stations, clearly advances the public interest, and thus a waiver of Section 74.131(c) to the extent required is warranted.

Accordingly, for the foregoing reasons, Hearst respectfully requests experimental television station authorization pursuant to Section 74.102 to continue operating with 26.6 kW ERP for the maximum permissible period.

If any questions should arise during the course of your consideration of this request, it is respectfully requested that you communicate with this office.

Sincerely,

BROOKS, PIERCE, McLENDON,
HUMPHREY & LEONARD, L.L.P.

A handwritten signature in black ink that reads "Coe W Ramsey / J. Holt".

Mark J. Prak
Coe W. Ramsey
Counsel to WBAL Hearst Television Inc.

cc: Barbara Kreisman (via e-mail)