

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

FILED/ACCEPTED

MAR 22 2013

Federal Communications Commission
Office of the Secretary

In re

Spirit Productions, Inc.
WALO-LP
West Palm Beach, Florida

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Facility ID No. 61930
File Nos. BLTTL-20090223ACF
BDISDTL-20100104AAQ

To: Office of the Secretary
Attn: Deputy Chief, Video Division

PETITION FOR RECONSIDERATION

Spirit Productions, Inc. ("Spirit") by its attorneys and pursuant to Section 1.106 of the Commission's rules requests reconsideration of the Commission's February 20, 2013 cancellation of the WALO-LP license ("Letter Ruling") (Attachment A). In support, Spirit respectfully submits the following:

The cancellation was predicated on Section 312(g) of the Communications Act of 1934, as amended. *See* 47 U.S.C. § 312(g). That section provides as follows:

If a broadcasting stations fails to transmit broadcast signals for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, notwithstanding any provision term or condition of the license to the contrary..."

Spirit is the licensee of WALO-LP, Channel 53, West Palm Beach, Florida. As the letter ruling pointed out, stations operating on out-of-core channels (Channels 52 through 69), were required

ORIGINAL

to cease their out-of-core operations by December 31, 2011. *See Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power, Television Translator and Television Booster Stations and to Amend Rules for Digital Class A Television Stations, MB Docket No. 03-185, Second Report and Order*, 26 FCC Rcd 10732, 10743-49 (2011).

Spirit was unaware of the necessity to cease broadcasting on Channel 53 by December 31, 2011.¹ However, while it admittedly continued to broadcast on Channel 53 it is submitted that it did broadcast and thus while its operation may not have been technically legal; it nevertheless was broadcasting and was not violative of Section 312(g) of the Act. It is submitted under the circumstances present the appropriate sanction should be a forfeiture but not the draconian penalty of a license cancellation.

The Commission has historically not imposed license cancellation for "illegal operation." *See Rancho Pales Verdes Broadcasters, Inc.*, 18 FCC Rcd 5043 (2003); *Channel 41, Inc.*, 27 FCC 2d 595 (1971); *Ted Tucker and Jana Tucker*, 4 FCC Rcd 3625 (1999).

Particular attention should be afforded to the case of *Lauren A. Colby, Esq.*, 21 FCC Rcd 1248 (M.B. 2006), there, the Bureau was faced with a broadcaster which had failed to complete construction in accordance with the terms of its permit and whose constructed facilities differed greatly from those authorized. The Commission granted a license application for broadcast facilities completely different from those contained in the station construction permit. The

¹ Spirit was never directly notified of this requirement by its then Communications Counsel (*See Attachment B*) or any other source.

permittee had been issued a permit to construct a Class C2 facility with an effective radiated power of 50 kW, but had instead constructed a Class A facility with 5 kW. Moreover, the first attempt by the station to file a “make good” minor change application to conform its constructed facilities (along with its license application) was not filed until almost two months after the station construction permit had expired and was, thereafter dismissed. A subsequent modification application specifying the actual facilities which were constructed (along with an amended license application) was not filed and granted until six years after the permit had expired. Despite this, the Bureau granted the license application while assessing a forfeiture on the permittee.

Likewise, in *Bee Broadcasting Associates*, 3 FCC Rcd 4323 (1988), the Mass Media Bureau granted a license application where the television facilities as constructed differed greatly from the authorized facilities.

In *CMCG Puerto Rico Licensee, LLC*, DA 07-2798 (released June 26, 2007), the Media Bureau adopted a Consent Decree in which the broadcasters (WMEI)(TV) acknowledged that the license application, filed the day its permit was to expire, contained certifications that the terms and conditions set forth in its construction permit had been fully met and that it had constructed its facility as authorized in its permit and that those certifications “were without basis in fact.” Despite this admission, the Video Division after initially dismissing the station license

application, eventually granted another license application filed after the station permit had expired without requiring the filing of an additional minor change application.

The recent *Memorandum Opinion and Order, WKLC, Inc.*, DA 13-333, released March 5, 2013 involved the expiration by operation of law pursuant to Section 73.3598(e) of the Commission's rules.² Nearly four years after the expiration of the construction permit's expiration date, the permittee filed its license application. The Bureau did not cancel the permit but rather found the license liable for forfeitures for its failure to timely file a license application and for unauthorized operation of the station after the permit had expired.

It should also be noted that Spirit had applied for and obtained a construction permit pursuant to a displacement application (BDISDTL-20100104AAQ). See Attachment C and Attachment D. The expiration date on that construction permit was September 1, 2015.³ (Attachment E).

It should also be noted that Spirit, consistent with its operation filed various notifications with the Commission. These notifications were required by the Commission's rules. See Attachments F, G, H, I and J.

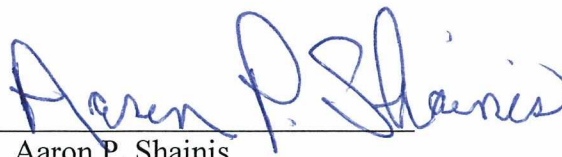
It is urged, consistent with binding precedent, that the cancellation of the WALO-LP license be rescinded and the construction permit, BDISDTL-20100104AAQ, be reinstated. The

² 47 C.F.R. § 73.3598(e) ("Any construction permit for which construction has not been completed and for which an application for license has not been filed, shall be automatically forfeited upon expiration without any further affirmative cancellation by the Commission").

³ The permit was concurrently canceled with the license.

Commission should permit Spirit to construct pursuant to the permit. This action would be without prejudice to any other sanction which the Commission should choose to impose. It is submitted that such a course of action would be both consistent with past precedent and also be in the public interest.

Respectfully submitted,

By: 

Aaron P. Shainis
Counsel for
Spirit Productions, Inc.

Shainis & Peltzman, Chartered
1850 M Street NW, Suite 240
Washington, DC 20036
202-293-0011

March 22, 2013

ATTACHMENT A



Federal Communications Commission
Washington, D.C. 20554

February 20, 2013

Spirit Productions, Inc.
P.O. Box 3161
Tequesta, FL 33469

Re: WALO-LP Channel 53
West Palm Beach, FL
Facility ID No. 61930
BLTTTL-20090223ACF
BDISDTL-20100104AAQ

Dear Licensee:

This is with respect to the above-captioned low power television station. Section 312(g) of the Communications Act of 1934, as amended,¹ provides that:

If a broadcasting station fails to transmit broadcast signals for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, notwithstanding any provision, term or condition of the license to the contrary

Stations operating on out-of-core channels (channels 52 through 69), were required to cease their out-of-core operations by December 31, 2011.² In adopting this deadline, the Commission cautioned out-of-core licensees to be mindful of the automatic cancellation provision in Section 312(g) when constructing their authorized in-core facilities.³ Commission records show that the Licensee has not yet constructed its authorized in-core facility. Because the station has failed to transmit a broadcast signal since at least December 31, 2011, its license has expired pursuant to Section 312(g) of the Act.

In view of the foregoing, the license for the above-referenced low power television station and construction permit for an in-core facility ARE HEREBY CANCELLED and the call sign IS DELETED.

Sincerely,

Hossein Hashemzadeh
Deputy Chief, Video Division
Media Bureau

¹ 47 U.S.C. § 312(g).

² See *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*, MB Docket No. 03-185, Second Report and Order, 26 FCC Rcd 10732, 10743-49 (2011).

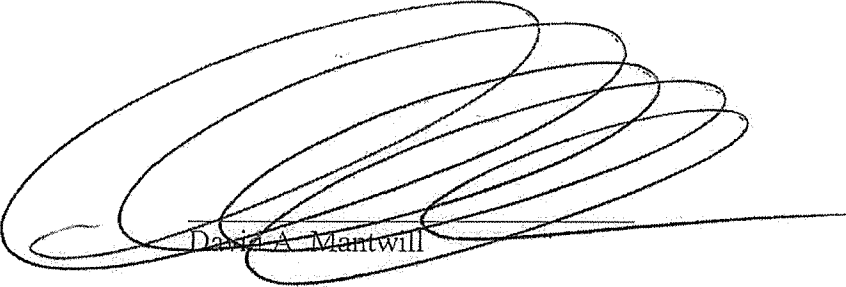
³ *Id.* at 10749 n. 103.

ATTACHMENT B

I, David A. Mantwill, the President of Spirit Productions, Inc. (Spirit) the licensee of WALO-LP, West Palm Beach, Florida hereby states under penalty of perjury the following:

Neither I, nor to my knowledge, were any of the Spirit employees or other principals, advised that we needed to cease broadcasting on Channel 53 by December 31, 2011. Spirit utilized the services of a communications law firm but did not receive any direct communication from the attorney primarily responsible for handling Spirit's work relative to the FCC.

Should the Commission grant the relief requested in the Petition for Reconsideration, Spirit will immediately commence the required construction of Channel 44 and expeditiously file a license application.



David A. Mantwill

March 21, 2013

ATTACHMENT C

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0016 (August 2011)	FOR FCC USE ONLY
FCC 346		
APPLICATION FOR AUTHORITY TO CONSTRUCT OR MAKE CHANGES IN A LOW POWER TV, TV TRANSLATOR OR TV BOOSTER STATION		FOR COMMISSION USE ONLY FILE NO. BDISDTL - 20080219AQV
Read INSTRUCTIONS Before Filling Out Form		

Section I - General Information

1.	Legal Name of the Applicant SPIRIT PRODUCTIONS, INC.		
	Mailing Address P.O. BOX 3161		
	City TEQUESTA	State or Country (if foreign address) FL	ZIP Code 61930 -
	Telephone Number (include area code) 5617460170	E-Mail Address (if available) PMANTWIL@BELLSOUTH.NET	
	FCC Registration Number: 0003753159	Call Sign WWJV-LP	Facility ID Number 61930
2.	Contact Representative (if other than Applicant) ROBERT L. OLENDER, ESQUIRE		
	Firm or Company Name KOERNER & OLENDER, P.C.		
	Mailing Address 11913 GREY HOLLOW COURT		
	City NORTH BETHESDA	State or Country (if foreign address) MD	ZIP Code 20852 -
	Telephone Number (include area code) 3014683336	E-Mail Address (if available) ROLENDER.LAW@COMCAST.NET	
3.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial Educational Licensee/Permittee <input checked="" type="radio"/> Other DISPLACEMENT APPLICATION <input type="radio"/> N/A (Fee Required)		
4.	Facility Information a. <input type="radio"/> Low Power TV Station <input type="radio"/> TV Translator <input type="radio"/> TV Booster <input checked="" type="radio"/> Digital Low Power TV <input type="radio"/> Digital TV Translator b. Community of License: City: JUPITER State: FL		
5.	Application Purpose <input type="radio"/> New station <input type="radio"/> Major Modification of construction permit <input type="radio"/> Major Change in licensed facility <input type="radio"/> Minor Modification of construction permit <input type="radio"/> Minor Change in licensed facility <input type="radio"/> Amendment to pending application <input type="radio"/> Digital Flash Cut <input type="radio"/> Digital Companion Channel <input checked="" type="radio"/> Displacement [Exhibit 1] <input type="radio"/> Analog <input checked="" type="radio"/> Digital a. File number of original construction permit or pending application: BDISDTL-20060330AET		

If an amendment, **submit as an Exhibit** a listing by Section and Question Number the portions of the pending application that are being revised.

[Exhibit 2]

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

Section II - Legal

1.	Certification. Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.	<input checked="" type="radio"/> Yes <input type="radio"/> No																
2.	Parties to the Application. List the applicant and all parties to the application. If other than natural persons, list officers, directors, stockholders with interests of 1% or more, general and limited partners and/or members.																	
	<table border="1"> <tr> <td>a.</td> <td>Name and address of the applicant and, if applicable, its officers, directors, stockholders with interests of 1% or greater, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter remaining stockholders and partners.</td> <td>b.</td> <td>Citizenship.</td> </tr> <tr> <td></td> <td></td> <td>c.</td> <td>Positional Interest: Officer, director, general partner, limited partner, LLC member, etc.</td> </tr> <tr> <td></td> <td></td> <td>d.</td> <td>Percentage of votes.</td> </tr> <tr> <td></td> <td></td> <td>e.</td> <td>Percentage of equity.</td> </tr> </table>	a.	Name and address of the applicant and, if applicable, its officers, directors, stockholders with interests of 1% or greater, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter remaining stockholders and partners.	b.	Citizenship.			c.	Positional Interest: Officer, director, general partner, limited partner, LLC member, etc.			d.	Percentage of votes.			e.	Percentage of equity.	
a.	Name and address of the applicant and, if applicable, its officers, directors, stockholders with interests of 1% or greater, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter remaining stockholders and partners.	b.	Citizenship.															
		c.	Positional Interest: Officer, director, general partner, limited partner, LLC member, etc.															
		d.	Percentage of votes.															
		e.	Percentage of equity.															
	[Enter Parties Information]																	
3.	Character Issues. Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with: a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or b. any pending broadcast application in which character issues have been raised.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 3]																
4.	Adverse Findings. Applicant certifies that, with respect to the applicant and any party to the application, no adverse finding has been made, nor has an adverse final action been taken related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 4]																
5.	Alien Ownership and Control. Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 5]																
6.	Program Service Certification. (For Low Power Television Applicants Only) Applicant certifies that this station will offer a broadcast program service.	<input checked="" type="radio"/> Yes <input type="radio"/> No																
7.	Local Public Notice. (For new station and major change Applicants Only) Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	<input checked="" type="radio"/> Yes <input type="radio"/> No																
8.	Rebroadcast Certification. (For Applicants proposing translator rebroadcasts that are not the	<input type="radio"/> Yes <input type="radio"/> No																

licensee of the primary station) Applicant certifies that written authority has been obtained from the licensee of the station whose programs are to be retransmitted.		
9.	Auction Authorization. If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable. An exhibit is required unless this question is inapplicable.	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A
10.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	<input checked="" type="radio"/> Yes <input type="radio"/> No
I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)		
Typed or Printed Name of Person Signing		Typed or Printed Title of Person Signing
DAVID MANTWILL		PRESIDENT
Signature		Date
		02/18/2008

Section III - Engineering (Digital)				
TECHNICAL SPECIFICATIONS				
Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.				
TECH BOX				
1.	Channel: 21			
2.	Translator Input Channel No. :			
3.	Primary station proposed to be rebroadcast:			
	Facility Identifier	Call Sign	City	State Channel
4.	Antenna Location Coordinates: (NAD 27) Latitude: Degrees 26 Minutes 35 Seconds 20 <input checked="" type="radio"/> North <input type="radio"/> South Longitude: Degrees 80 Minutes 12 Seconds 43 <input checked="" type="radio"/> West <input type="radio"/> East			
5.	Antenna Structure Registration Number: 1220033 <input type="checkbox"/> Not Applicable [Exhibit 11] <input type="checkbox"/> Notification filed with FAA			
6.	Antenna Location Site Elevation Above Mean Sea Level:		5.5 meters	
7.	Overall Tower Height Above Ground Level:		405.7 meters	
8.	Height of Radiation Center Above Ground Level:		133 meters	
9.	Maximum Effective Radiated Power (ERP):		2 kW	
10.	Transmitter Output Power:		0.1 kW	
11.	a. Transmitting Antenna: Before selecting Directional "Off-the-Shelf", refer to "Search for Antenna Information" under CDBS Public Access (http://licensing.fcc.gov/prod/cdbb/pubacc/prod/cdbb_pa.htm). Make sure that the Standard Pattern is marked Yes and that the relative field values shown match your values. Enter the Manufacturer (Make) and Model exactly as displayed in the Antenna Search. <input type="radio"/> Nondirectional <input checked="" type="radio"/> Directional Off-the Shelf <input type="radio"/> Directional composite			

Manufacturer JAM Model JA/LS-TB-8

b. Electrical Beam Tilt: degrees ☒ Not Applicable

c. Mechanical Beam Tilt: degrees toward azimuth degrees True ☐ Not Applicable

d. Directional Antenna Relative Field Values: ☒ N/A (Nondirectional or Off-the-Shelf)

Rotation (Degrees): 100 ☐ No Rotation

Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value
0		10		20		30		40		50	
60		70		80		90		100		110	
120		130		140		150		160		170	
180		190		200		210		220		230	
240		250		260		270		280		290	
300		310		320		330		340		350	

Additional
Azimuths

e. Does the proposed antenna propose elevation radiation patterns that vary with azimuth for reasons other than the use of mechanical beam tilt? ☐ Yes ☐ No

[Exhibit 12]

If Yes, attach an Exhibit (see instructions for details).

Relative Field Polar Plot

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

12. **Out-of-channel Emission Mask:** ☐ Simple ☒ Stringent ☐ Full Service

CERTIFICATION

13. **Interference :** The proposed facility complies with all of the following applicable rule sections. 47.C.F.R Sections 74.709, 74.793(e), 74.793(f), 74.793(g), 74.793(h), 74.794(b) and 73.1030. ☒ Yes ☐ No

See Explanation in
[Exhibit 13]

14. **Environmental Protection Act.** The proposed facility is excluded from environmental processing under 47. C.F.R. Section 1.1306 (i.e., The facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine RF compliance, an **Exhibit is required.** ☒ Yes ☐ No

See Explanation in
[Exhibit 14]

By checking "Yes" above, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.

15. **Channels 52-59.** If the proposed channel is within channels 52-59, the applicant certifies compliance with the following requirements, as applicable:

☐ The applicant is applying for a digital companion channel for which no suitable channel from channel 2-51 is available.

☐ Pursuant to Section 74.786(d), the applicant has notified, within 30 days of filing this application, all commercial wireless licenses of the spectrum comprising the proposed TV channel and the first adjacent channels thereto, for

which the proposed digital LPTV or TV translator antenna site lies inside the licensed geographic boundaries of the wireless licensees or within 75 miles and 50 miles, respectively, of the geographic boundaries of co-channel and adjacent-channel wireless licensees.

16. **Channels 60-69.** If the proposed channel is within channels 60-69, the applicant certifies compliance with the following requirements, as applicable:

- ☐ Pursuant to Section 74.786(e), the applicant has notified, within 30 days of filing this application, all commercial wireless licenses of the spectrum comprising the proposed TV channel and the first adjacent channels thereto, for which the proposed digital LPTV or TV translator antenna site lies inside the licensed geographic boundaries of the wireless licensees or within 75 miles and 50 miles, respectively, of the geographic boundaries of co-channel and adjacent-channel wireless licensees.
- ☐ Pursuant to Section 74.786(e), the applicant proposing operation on channel 63, 64, 68 and 69 ("public safety channels") has secured a coordinated spectrum use agreements(s) with 700 MHz public safety regional planning committee(s) and state administrator(s) of the region(s) and state(s) within which the antenna site of the digital LPTV or TV translator station is proposed to locate, and those adjoining regions and states with boundaries within 75 miles of the proposed station location.
- ☐ Pursuant to Section 74.786(e), the applicant for a channel adjacent to channel 63, 64, 68 or 69 has notified, within 30 days of filing this application, the 700 MHz public safety regional planning committee(s) and state administrator(s) of the region and state containing the proposed digital LPTV or TV translator antenna site and regions and states whose geographic boundaries lie within 50 miles of the proposed LPTV or TV translator antenna site.

PREPARERS CERTIFICATION ON PAGE 3 MUST BE COMPLETED AND SIGNED.

SECTION III PREPARER'S CERTIFICATION

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name CLARENCE M. BEVERAGE		Relationship to Applicant (e.g., Consulting Engineer) BROADCAST ENGINEERING CONSULTANT	
Signature		Date 02/14/2008	
Mailing Address COMMUNICATIONS TECHNOLOGIES, INC. P.O. BOX 1130			
City MARLTON	State or Country (if foreign address) NJ		Zip Code 08053 -
Telephone Number (include area code) 8569850077		E-Mail Address (if available) CBEVERAGE@COMMTECHRF.COM	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits**Exhibit 1****Description:** DISPLACEMENT APPLICATION

PURSUANT TO A REQUEST FROM THE FCC'S STAFF ON FEBUARY 14TH, THE APPLICATION BMPDTL-20071211AAR WAS TO BE DISMISSED AND RE-FILED AS A DISPLACEMENT APPLICATION

Attachment 1

Exhibit 13**Description:** INTERFERENCE ANALYSIS

ATTACHED IS AN EXHIBIT DATED 01-18-2008, WHICH IS AN OET-69 ANALYSIS UTILIZING THE V-SOFT SUN TIME SHARE SERVICE. THE ANALYSIS TO THE WDLF FACILITIES MAY BE FOUND ON PAGES 20-28. PREDICTED INTERFERENCE TO WDLF-CA BLTTA20050224ABQ IS 0.2%. THE GREATEST PREDICTED INTERFERENCE TO WDLF-CA BPTTA20050922AAQ IS 0.3%. THE PROPOSED CHANNEL 21 FACILITY IS BELIEVED TO CONSERVATIVELY PROTECT THE WDLF-CA FACILITIES AND PROCESSING AND GRANT IS RESPECTFULLY REQUESTED.

CONTOUR OVERLAP BETWEEN THE PROPOSED CH 21 DTV FACILITY AND THE COLOCATED WWJF-LP CP FACILITY, BPTTL20071211AAS FACILITY EXISTS AND THERE IS CONTOUR OVERLAP BETWEEN THE CH21 DTV PROPOSED FACILITY AND THE WWJF-LP LICENSED CH 53 FACILITY. THUS, THE FACILITY CONTINUES TO QUALIFY AS A MINOR CHANGE TO THE CHANNEL 11 CP.

FIGURE 1 ATTACHED DEPICTS THE CURRENT & PROPOSED DTV FACILITY PREDICTED COVERAGE CONTOURS. IT IS NOTED THAT THERE IS AN AREA OF COMMON OVERLAP WHICH IS BELIEVED TO QUALIFY THE APPLICATION AS A MINOR CHANGE. FURTHER, THE PREVIOUSLY FILED APPLICATION BY WBPB-LD CH 11 PALM BEACH, FL CREATES PROHIBITED INTERFERENCE WITH THE FACILITIES PLANNED BY SPIRIT FOR CH 11 AT THE SITE PROPOSED HEREIN NECESSITATING THE CHANGE TO CH 21 DTV.

THE ATTACHED OET-69 ALLOCATION STUDY DEMONSTRATES THAT THE PROPOSED FACILITY PROVIDES FULL PROTECTION TO ALL AUTHORIZED FACILITIES IN THE CDBS.

Attachment 13

Description
<u>Interference Analyses</u>
<u>Interference Analysis 2</u>
<u>Contour Overlap Study</u>

Exhibit 14**Description:** RF RADIATION

THE PROPOSED ANTENNA SYSTEM CONSISTS OF A JAMPRO MODEL JA/LS-TB-8 EIGHT SLOT, HORIZONTALLY POLARIZED, ANTENNA, WITH A RADIATION CENTER 133 METERS ABOVE GROUND. FORMULA 10 OF OET BULLETIN NO. 65, EDITION 97-01, PAGE 22, HAS BEEN USED TO CALCULATE POWER DENSITY. A VALUE F OF 0.2 HAS BEEN USED TO CALCULATE THE POWER DENSITY 2 METERS ABOVE GROUND. THE MAXIMUM POWER DENSITY IS 0.16 UW/CM SQUARED FOR AN ERP OF 2000 WATTS. THIS VALUE IS 0.047 % OF THE ALLOWABLE 343.3 UW/CM SQUARED POWER DENSITY FOR UNCONTROLLED ENVIRONMENTS FOR TV CHANNEL 21 AND, THUS, IS BELIEVED TO BE CATEGORICALLY EXCLUDED FROM ENVIRONMENTAL PROCESSING.

THE TOWER BASE IS FENCED TO PREVENT UNAUTHORIZED ACCESS.

THE APPLICANT WILL REDUCE, OR CEASE, TRANSMISSION AS REQUIRED TO MEET FCC OET-65
GUIDELINES FOR WORKER EXPOSURE.

Attachment 14

ATTACHMENT D

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0016 (August 2011)	FOR FCC USE ONLY
FCC 346		
APPLICATION FOR AUTHORITY TO CONSTRUCT OR MAKE CHANGES IN A LOW POWER TV, TV TRANSLATOR OR TV BOOSTER STATION		FOR COMMISSION USE ONLY FILE NO. BDISDTL - 20100104AAQ
Read INSTRUCTIONS Before Filling Out Form		

Section I - General Information

1.	Legal Name of the Applicant SPIRIT PRODUCTIONS, INC.		
	Mailing Address P.O. BOX 3161		
	City TEQUESTA	State or Country (if foreign address) FL	ZIP Code 61930 -
	Telephone Number (include area code) 5617460170	E-Mail Address (if available) PMANTWIL@BELLSOUTH.NET	
	FCC Registration Number: 0003753159	Call Sign WALO-LP	Facility ID Number 61930
2.	Contact Representative (if other than Applicant) ROBERT L. OLENDER, ESQUIRE		
	Firm or Company Name KOERNER & OLENDER, P.C.		
	Mailing Address 11913 GREY HOLLOW COURT		
	City NORTH BETHESDA	State or Country (if foreign address) MD	ZIP Code 20852 -
	Telephone Number (include area code) 3014683336	E-Mail Address (if available) ROLENDER.LAW@COMCAST.NET	
3.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial Educational Licensee/Permittee <input checked="" type="radio"/> Other DISPLACEMENT APPLICATION <input type="radio"/> N/A (Fee Required)		
4.	Facility Information a. <input type="radio"/> Low Power TV Station <input type="radio"/> TV Translator <input type="radio"/> TV Booster <input checked="" type="radio"/> Digital Low Power TV <input type="radio"/> Digital TV Translator b. Community of License: City: JUPITER State: FL		
5.	Application Purpose <input type="radio"/> New station <input type="radio"/> Major Modification of construction permit <input type="radio"/> Major Change in licensed facility <input type="radio"/> Minor Modification of construction permit <input type="radio"/> Minor Change in licensed facility <input type="radio"/> Amendment to pending application <input type="radio"/> Digital Flash Cut <input type="radio"/> Digital Companion Channel <input checked="" type="radio"/> Displacement [Exhibit 1] <input type="radio"/> Analog <input checked="" type="radio"/> Digital a. File number of original construction permit or pending application: BDISDTL-20080219AQV		

If an amendment, **submit as an Exhibit** a listing by Section and Question Number the portions of the pending application that are being revised.

[Exhibit 2]

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

Section II - Legal

1.	Certification. Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.	<input checked="" type="radio"/> Yes <input type="radio"/> No																
2.	Parties to the Application. List the applicant and all parties to the application. If other than natural persons, list officers, directors, stockholders with interests of 1% or more, general and limited partners and/or members.																	
	<table border="1"> <tr> <td>a.</td> <td>Name and address of the applicant and, if applicable, its officers, directors, stockholders with interests of 1% or greater, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter remaining stockholders and partners.</td> <td>b.</td> <td>Citizenship.</td> </tr> <tr> <td></td> <td></td> <td>c.</td> <td>Positional Interest: Officer, director, general partner, limited partner, LLC member, etc.</td> </tr> <tr> <td></td> <td></td> <td>d.</td> <td>Percentage of votes.</td> </tr> <tr> <td></td> <td></td> <td>e.</td> <td>Percentage of equity.</td> </tr> </table>	a.	Name and address of the applicant and, if applicable, its officers, directors, stockholders with interests of 1% or greater, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter remaining stockholders and partners.	b.	Citizenship.			c.	Positional Interest: Officer, director, general partner, limited partner, LLC member, etc.			d.	Percentage of votes.			e.	Percentage of equity.	
a.	Name and address of the applicant and, if applicable, its officers, directors, stockholders with interests of 1% or greater, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter remaining stockholders and partners.	b.	Citizenship.															
		c.	Positional Interest: Officer, director, general partner, limited partner, LLC member, etc.															
		d.	Percentage of votes.															
		e.	Percentage of equity.															
	[Enter Parties Information]																	
3.	Character Issues. Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with:	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 3]																
	a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or b. any pending broadcast application in which character issues have been raised.																	
4.	Adverse Findings. Applicant certifies that, with respect to the applicant and any party to the application, no adverse finding has been made, nor has an adverse final action been taken related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 4]																
5.	Alien Ownership and Control. Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 5]																
6.	Program Service Certification. (For Low Power Television Applicants Only) Applicant certifies that this station will offer a broadcast program service.	<input checked="" type="radio"/> Yes <input type="radio"/> No																
7.	Local Public Notice. (For new station and major change Applicants Only) Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	<input type="radio"/> Yes <input type="radio"/> No																
8.	Rebroadcast Certification. (For Applicants proposing translator rebroadcasts that are not the	<input type="radio"/> Yes <input type="radio"/> No																

	licensee of the primary station) Applicant certifies that written authority has been obtained from the licensee of the station whose programs are to be retransmitted.	
9.	Auction Authorization. If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable. An exhibit is required unless this question is inapplicable.	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A
10.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	<input checked="" type="radio"/> Yes <input type="radio"/> No
I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)		
Typed or Printed Name of Person Signing DAVID MANTWILL		Typed or Printed Title of Person Signing PRESIDENT
Signature		Date 12/17/2009

Section III - Engineering (Digital)				
TECHNICAL SPECIFICATIONS				
Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.				
TECH BOX				
1.	Channel: 44			
2.	Translator Input Channel No. :			
3.	Primary station proposed to be rebroadcast:			
	Facility Identifier	Call Sign	City	State Channel
4.	Antenna Location Coordinates: (NAD 27) Latitude: Degrees 26 Minutes 35 Seconds 20 <input checked="" type="radio"/> North <input type="radio"/> South Longitude: Degrees 80 Minutes 12 Seconds 43 <input checked="" type="radio"/> West <input type="radio"/> East			
5.	Antenna Structure Registration Number: 1220033 <input type="checkbox"/> Not Applicable [Exhibit 11] <input type="checkbox"/> Notification filed with FAA			
6.	Antenna Location Site Elevation Above Mean Sea Level:		5.5 meters	
7.	Overall Tower Height Above Ground Level:		406 meters	
8.	Height of Radiation Center Above Ground Level:		133 meters	
9.	Maximum Effective Radiated Power (ERP):		15 kW	
10.	Transmitter Output Power:		0.3 kW	
11.	a. Transmitting Antenna: Before selecting Directional "Off-the-Shelf", refer to "Search for Antenna Information" under CDBS Public Access (http://licensing.fcc.gov/prod/cdb/public/prod/cdb_pa.htm). Make sure that the Standard Pattern is marked Yes and that the relative field values shown match your values. Enter the Manufacturer (Make) and Model exactly as displayed in the Antenna Search. <input type="radio"/> Nondirectional <input type="radio"/> Directional Off-the Shelf <input checked="" type="radio"/> Directional composite			

Manufacturer PSI Model PSILP24BC

b. Electrical Beam Tilt: degrees ☒ Not Applicable

c. Mechanical Beam Tilt: degrees toward azimuth degrees True ☐ Not Applicable

d. Directional Antenna Relative Field Values: ☐ N/A (Nondirectional or Off-the-Shelf)

Rotation (Degrees): 0 ☒ No Rotation

Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value
0	1	10	0.96	20	0.92	30	0.82	40	0.66	50	0.5
60	0.35	70	0.27	80	0.22	90	0.19	100	0.18	110	0.18
120	0.19	130	0.21	140	0.23	150	0.26	160	0.27	170	0.28
180	0.29	190	0.28	200	0.27	210	0.26	220	0.23	230	0.21
240	0.19	250	0.18	260	0.18	270	0.19	280	0.22	290	0.27
300	0.35	310	0.5	320	0.66	330	0.82	340	0.92	350	0.96

Additional
Azimuths

e. Does the proposed antenna propose elevation radiation patterns that vary with azimuth for reasons other than the use of mechanical beam tilt? ☐ Yes ☐ No

[Exhibit 12]

If Yes, attach an Exhibit (see instructions for details).

Relative Field Polar Plot

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

12. **Out-of-channel Emission Mask:** ☐ Simple ☒ Stringent ☐ Full Service

CERTIFICATION

13. **Interference :** The proposed facility complies with all of the following applicable rule sections. 47.C.F.R Sections 74.709, 74.793(e), 74.793(f), 74.793(g), 74.793(h), 74.794(b) and 73.1030. ☒ Yes ☐ No
See Explanation in [Exhibit 13]

14. **Environmental Protection Act.** The proposed facility is excluded from environmental processing under 47. C.F.R. Section 1.1306 (i.e., The facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine RF compliance, an **Exhibit is required.** ☒ Yes ☐ No
See Explanation in [Exhibit 14]

By checking "Yes" above, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.

15. **Channels 52-59.** If the proposed channel is within channels 52-59, the applicant certifies compliance with the following requirements, as applicable:

☐ The applicant is applying for a digital companion channel for which no suitable channel from channel 2-51 is available.

☐ Pursuant to Section 74.786(d), the applicant has notified, within 30 days of filing this application, all commercial wireless licenses of the spectrum comprising the proposed TV channel and the first adjacent channels thereto, for

which the proposed digital LPTV or TV translator antenna site lies inside the licensed geographic boundaries of the wireless licensees or within 75 miles and 50 miles, respectively, of the geographic boundaries of co-channel and adjacent-channel wireless licensees.

16. **Channels 60-69.** If the proposed channel is within channels 60-69, the applicant certifies compliance with the following requirements, as applicable:

- ☐ Pursuant to Section 74.786(e), the applicant has notified, within 30 days of filing this application, all commercial wireless licensees of the spectrum comprising the proposed TV channel and the first adjacent channels thereto, for which the proposed digital LPTV or TV translator antenna site lies inside the licensed geographic boundaries of the wireless licensees or within 75 miles and 50 miles, respectively, of the geographic boundaries of co-channel and adjacent-channel wireless licensees.
- ☐ Pursuant to Section 74.786(e), the applicant proposing operation on channel 63, 64, 68 and 69 ("public safety channels") has secured a coordinated spectrum use agreements(s) with 700 MHz public safety regional planning committee(s) and state administrator(s) of the region(s) and state(s) within which the antenna site of the digital LPTV or TV translator station is proposed to locate, and those adjoining regions and states with boundaries within 75 miles of the proposed station location.
- ☐ Pursuant to Section 74.786(e), the applicant for a channel adjacent to channel 63, 64, 68 or 69 has notified, within 30 days of filing this application, the 700 MHz public safety regional planning committee(s) and state administrator(s) of the region and state containing the proposed digital LPTV or TV translator antenna site and regions and states whose geographic boundaries lie within 50 miles of the proposed LPTV or TV translator antenna site.

PREPARERS CERTIFICATION ON PAGE 3 MUST BE COMPLETED AND SIGNED.

SECTION III PREPARER'S CERTIFICATION

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name DARRYL K. DELAWDER		Relationship to Applicant (e.g., Consulting Engineer) ENGINEERING CONSULTANT	
Signature		Date 12/14/2009	
Mailing Address DELAWDER COMMUNICATIONS, INC. P.O. BOX 1095			
City ASHBURN	State or Country (if foreign address) VA		Zip Code 20146 - 1095
Telephone Number (include area code) 7032999222	E-Mail Address (if available) DELAWDER@AOL.COM		

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Exhibit 1**Description:** DISPLACEMENT QUALIFICATION

THE CURRENT TRANSMITTER SITE FOR WALO-LP IS LOCATED ONLY 245 KILOMETERS FROM THE TRANSMITTER SITE OF WCLF, CLEARWATER, FL (WHICH IS AUTHORIZED FOR CHANNEL 21, SAME AS THE WALO-LP CP); AND, THEREFORE THIS APPLICATION QUALIFIES FOR DISPLACEMENT RELIEF AS A MINOR CHANGE PURSUANT TO 47 CFR SECTION 73.3572(A)(4)(IV).

Attachment 1

Exhibit 13**Description:** ENGINEERING STATEMENT & INTERFERENCE STUDY

ATTACHED AS FIGURE 1 ARE THE OET-69 STUDY RESULTS FOR THE PROPOSED FACILITY (AS THE REFERENCED STATION) AS DETERMINED ON A SUN COMPUTER USING A SOLARIS (UNIX-BASED) OPERATING SYSTEM AND USING THE SAME OET-69 SOFTWARE AS DEVELOPED FOR USE BY THE FCC. (ACCORDING TO THE SOFTWARE DEVELOPER, THE PROGRAM USED HEREIN PROVIDES IDENTICAL RESULTS AS THE FCC'S OET-69 PROCESSING PROGRAM.) ALL STUDIES ARE CONDUCTED IN ACCORDANCE WITH CURRENT FCC RULES AND REGULATIONS. AS DEMONSTRATED BY FIGURE 1, THE PROPOSED FACILITY ADEQUATELY PROTECTS ALL REQUIRED US BROADCAST STATIONS AS REQUIRED BY THE FCC RULES.

THE APPLICANT ACCEPTS ANY INTERFERENCE THAT IS PREDICTED TO EXIST TO THE PROPOSED FACILITY BY ANY LICENSED, AUTHORIZED OR PREVIOUSLY-PROPOSED PRIMARY TV STATION. THE APPLICANT ALSO ACCEPTS ANY INTERFERENCE THAT IS PREDICTED TO EXIST TO THE PROPOSED FACILITY BY ANY SECONDARY TV FACILITY THAT IS GIVEN PREFERENTIAL STATUS BY THE FCC OVER THE APPLICANT'S HEREIN PROPOSED FACILITY.

Attachment 13

Description
FIGURE 1: OET69 STUDY RESULTS

Exhibit 14**Description:** ENVIRONMENTAL STATEMENT

THIS PROPOSAL DOES NOT INVOLVE A SITE LOCATION SPECIFIED UNDER SECTION 1.1307(A) THROUGH (A)(8) OF THE FCC RULES.

ALL ANALOG AND DIGITAL TV TRANSLATORS OR LPTVS OF THE APPLICANT AT THIS LOCATION COMBINE TO PRODUCE AN ERP THAT IS LESS THAN OR EQUAL TO 15 KILOWATTS. ASSUMING: (A) A MAXIMUM ERP OF 30 KILOWATTS (TWICE 15 KW, ASSUMING POSSIBLE USE OF CIRCULAR POLARIZATION); (B) A RELATIVE FIELD OF LESS THAN 0.2 IN THE CRITICAL DOWNWARD ANGLES; AND (C) A DISTANCE OF AT LEAST 100 METERS FROM THE LOWEST ANTENNA ELEMENT TO 2 METERS ABOVE GROUND LEVEL, THE MAXIMUM POWER DENSITY IS CALCULATED AS FOLLOWS:

$$S = 33.4 (F)(F)(ERP) / [(R)(R)]$$

WHERE, S EQUALS POWER DENSITY IN UW/CM²

F EQUALS THE RELATIVE FIELD FACTOR
ERP EQUALS THE EFFECTIVE RADIATE POWER IN WATTS
R EQUALS THE DISTANCE IN METERS

$$= 33.4 (0.2)(0.2)(30,000) / [(100)(100)]$$

$$= 4.0 \text{ UW/CM}^2 \text{ (COMBINED WORST-CASE FOR ALL APPLICANTS LPTVS)}$$

4.0 UW/CM² REPRESENTS LESS THAN THE UNCONTROLLED POWER DENSITY LIMIT (315.3 UW/CM² FOR UHF; 200 UW/CM² FOR VHF). THE ELECTROMAGNETIC RADIATION FROM THIS PROPOSED OPERATION WILL NOT PRODUCE A VALUE IN EXCESS OF THE RADIATION STANDARD. THE ELECTROMAGNETIC RADIATION FROM THE PROPOSED OPERATION WILL NOT COMBINE WITH OTHER FACILITIES ON OR NEAR THE STRUCTURE TO PRODUCE A SIGNIFICANT CHANGE IN VALUE.

IF THIS IS A STRUCTURE THAT MAY SUPPORT VARIOUS OTHER OPERATIONS, THE APPLICANT WILL COOPERATE WITH THE OTHER OPERATORS IN ESTABLISHING A PLAN FOR WORK DONE ON THE STRUCTURE IN CLOSE PROXIMITY TO THE EXISTING ANTENNA.

Attachment 14

ATTACHMENT E

[FCC Home](#) | [MB](#)

Application Search Details

[FCC](#) > [Media Bureau](#) > [MB-CDBS](#) > [CDBS Public Access](#) > [Application Search](#)[Help](#) [site map](#)

Application Search Details

File Number: BDISDTL-20100104AAQ
Call Sign: DWALO-LP
Facility Id: 61930
FRN: 0003753159
Applicant Name: SPIRIT PRODUCTIONS, INC.
Frequency:
Channel: 44
Community of License: JUPITER, FL
Application Type: DISPLACEMENT
Status: PERMIT CANCELLED
Status Date: 06/08/2010
Expiration Date: 09/01/2015
Tolling Code:
Application Service: LD
Disposed Date: 02/20/2013
Accepted Date: 01/04/2010
Last Public Notice: 02/25/2013
Last Report Number: 47932
Authorization Authorization not available
Engineering Data [View Engineering Data](#)
Legal Actions [View Legal Actions](#)
PN Comment [Public Notice Comment](#)
Correspondence Folder [View Correspondence Folder](#)

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Please send comments via standard mail to the Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street, S.W., Washington, D.C., 20554. Questions can also be answered by calling the FCC's National Call Center, toll free, at 1-888-Call FCC (1-888-225-5322).

Federal Communications Commission
445 12th Street SW
Washington, DC 20554
[More FCC Contact Information...](#)

Phone: 1-888-CALL-FCC (1-888-225-5322)
TTY: 1-888-TELL-FCC (1-888-835-5322)
Fax: 1-866-418-0232
E-mail: fccinfo@fcc.gov

- [Privacy Policy](#)
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- [Freedom of Information Act](#)

ATTACHMENT F

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0386 (July 2002)	FOR FCC USE ONLY
Notification of Suspension of Operations/ Request for Silent STA Read Instructions/FAQ before filling out form		FOR COMMISSION USE ONLY FILE NO. BLSTA - 20100930AYF

Section I - General Information

1.	Legal Name of the Applicant SPIRIT PRODUCTIONS, INC.		
	Mailing Address P.O. BOX 3161		
	City TEQUESTA	State or Country (if foreign address) FL	Zip Code 33469 -
	Telephone Number (include area code) 5617460170		E-Mail Address (if available) PMANTWIL@BELL SOUTH.NET
	FCC Registration No 0003753159	Call Sign WALO-LP	Facility ID Number 61930
2.	Contact Representative (if other than licensee/permittee) ROBERT L. OLENDER, ESQ.		Firm or Company Name KOERNER & OLENDER, P.C.
	Mailing Address 11913 GREY HOLLOW COURT		
	City NORTH BETHESDA	State or Country (if foreign address) MD	ZIP Code 20852 -
	Telephone Number (include area code) 3014683336		E-Mail Address (if available) ROLENDER.LAW@COMCAST.NET
3.	Purpose: <input type="radio"/> Notification of Suspension of Operations <input type="radio"/> Notification of Suspension of Operations and Request for Silent STA <input checked="" type="radio"/> Request for Silent STA <input type="radio"/> Request to Extend STA <input type="radio"/> Resumption of Operations		
4.	Community of License: City: WEST PALM BEACH State: FL		
5.	Reason for going silent: <input type="radio"/> Technical <input checked="" type="radio"/> Financing <input type="radio"/> Staffing <input type="radio"/> Program Source <input type="radio"/> Other		
6.	Please provide a justification for the request		[Exhibit 1]
7.	Date Station has gone / will go silent: 09/30/2010 (mm/dd/yyyy)		
8.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.		<input checked="" type="radio"/> Yes <input type="radio"/> No

I hereby certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

Typed or Printed Name of Person Signing DAVID MANTWILL	Typed or Printed Title of Person Signing PRESIDENT
Signature	Date (mm/dd/yyyy) 09/30/2010

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Exhibit 1

Description: FINANCIAL ISSUES

APPLICANT HAD ENTERED INTO AN LMA AND A APA WHICH WAS APPROVED BY THE FCC (BALTVL-20100805AKE). HOWEVER, THE SALE DID NOT CONSUMMATE BECAUSE THE PURCHASER COULD NOT GET FINANCING. THE LICENSEE IS TRYING TO FIND A NEW BUYER AND NEEDS TO GO SILENT UNTIL THAT IS COMPLETED

Attachment 1

ATTACHMENT G

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0386 (July 2002)	FOR FCC USE ONLY
Resumption of Operations		FOR COMMISSION USE ONLY
Read Instructions/FAQ before filling out form		FILE NO.

Section I - General Information

1.	Legal Name of the Applicant SPIRIT PRODUCTIONS, INC.		
	Mailing Address P.O. BOX 3161		
	City TEQUESTA	State or Country (if foreign address) FL	Zip Code 33469 -
	Telephone Number (include area code) 5617460170		E-Mail Address (if available) PMANTWIL@BELL SOUTH.NET
	Call Sign WALO-LP	Facility ID Number 61930	
2.	Contact Representative (if other than licensee/permittee) ROBERT L. OLENDER, ESQ.		Firm or Company Name KOERNER & OLENDER, P.C.
	Mailing Address 11913 GREY HOLLOW COURT		
	City NORTH BETHESDA	State or Country (if foreign address) MD	ZIP Code 20852 -
	Telephone Number (include area code) 3014683336		E-Mail Address (if available) ROLENDER.LAW@COMCAST.NET
3.	Purpose:		
	<input type="radio"/> Notification of Suspension of Operations		
	<input type="radio"/> Notification of Suspension of Operations and Request for Silent STA		
	<input type="radio"/> Request for Silent STA		
	<input type="radio"/> Request to Extend STA		
	<input checked="" type="radio"/> Resumption of Operations		
4.	Community of License: City: WEST PALM BEACH State: FL		
5.	Date station went silent: 09/30/2010		
6.	Date station commenced operation: 08/31/2011 (mm/dd/yyyy)		
7.	Please explain under which parameters the facility commenced operations (i.e. license, technical sta, construction permit)		[Exhibit 3]

I hereby certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

Typed or Printed Name of Person Signing DAVID MANTWILL	Typed or Printed Title of Person Signing PRESIDENT
Signature	Date (mm/dd/yyyy)

08/31/2011

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Exhibit 3**Description:** COMMENCED OPERATION

THE STATION COMMENCED OPERATION PURSUANT TO ITS LICENSE

Attachment 3

ATTACHMENT H

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0386 (July 2002)	FOR FCC USE ONLY
Notification of Suspension of Operations / Request for Silent STA Read Instructions/FAQ before filling out form		FOR COMMISSION USE ONLY FILE NO. BL STA - 20110930BJD

Section I - General Information

1.	Legal Name of the Applicant SPIRIT PRODUCTIONS, INC.		
	Mailing Address P.O. BOX 3161		
	City TEQUESTA	State or Country (if foreign address) FL	Zip Code 33469 -
	Telephone Number (include area code) 5617460170		E-Mail Address (if available) PMANTWIL@BELLSOUTH.NET
	FCC Registration No 0003753159	Call Sign WALO-LP	Facility ID Number 61930
2.	Contact Representative (if other than licensee/permittee) ROBERT L. OLENDER, ESQ.		Firm or Company Name KOERNER & OLENDER, P.C.
	Mailing Address 11913 GREY HOLLOW COURT		
	City NORTH BETHESDA	State or Country (if foreign address) MD	ZIP Code 20852 -
	Telephone Number (include area code) 3014683336		E-Mail Address (if available) ROLENDER.LAW@COMCAST.NET
3.	Purpose: <input type="radio"/> Notification of Suspension of Operations <input type="radio"/> Notification of Suspension of Operations and Request for Silent STA <input checked="" type="radio"/> Request for Silent STA <input type="radio"/> Request to Extend STA <input type="radio"/> Resumption of Operations		
4.	Community of License: City: WEST PALM BEACH State: FL		
5.	Reason for going silent: <input type="radio"/> Technical <input checked="" type="radio"/> Financing <input type="radio"/> Staffing <input type="radio"/> Program Source <input type="radio"/> Other		
6.	Please provide a justification for the request		[Exhibit 1]
7.	Date Station has gone / will go silent: 09/30/2011 (mm/dd/yyyy)		
8.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.		<input checked="" type="radio"/> Yes <input type="radio"/> No

I hereby certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

Typed or Printed Name of Person Signing DAVID MANTWILL	Typed or Printed Title of Person Signing PRESIDENT
Signature	Date (mm/dd/yyyy) 09/30/2011

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Exhibit 1

Description: SILENT AUTHORITY

THE LICENSEE HAS EXPERIENCED SEVERE ECONOMIC CONDITIONS IN THE MARKET AND HAS LISTED THE STATION WITH A BROKER IN AN ATTEMPT TO FIND A BUYER. THUS, IT IS FINDING IT VERY DIFFICULT TO SUPPORT THE OPERATION OF A LPTV IN THIS DEPRESSED MARKET

Attachment 1

ATTACHMENT I

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0386 (July 2002)	FOR FCC USE ONLY
Resumption of Operations Read Instructions/FAQ before filling out form		FOR COMMISSION USE ONLY FILE NO.

Section I - General Information

1.	Legal Name of the Applicant SPIRIT PRODUCTIONS, INC.		
	Mailing Address P.O. BOX 3161		
	City TEQUESTA	State or Country (if foreign address) FL	Zip Code 33469 -
	Telephone Number (include area code) 5617460170		E-Mail Address (if available) PMANTWIL@BELLSOUTH.NET
	Call Sign WALO-LP	Facility ID Number 61930	
2.	Contact Representative (if other than licensee/permittee) ROBERT L. OLENDER, ESQ.		Firm or Company Name KOERNER & OLENDER, P.C.
	Mailing Address 11913 GREY HOLLOW COURT		
	City NORTH BETHESDA	State or Country (if foreign address) MD	ZIP Code 20852 -
	Telephone Number (include area code) 3014683336		E-Mail Address (if available) ROLENDER.LAW@COMCAST.NET
3.	Purpose: <input type="radio"/> Notification of Suspension of Operations <input type="radio"/> Notification of Suspension of Operations and Request for Silent STA <input type="radio"/> Request for Silent STA <input type="radio"/> Request to Extend STA <input checked="" type="radio"/> Resumption of Operations		
4.	Community of License: City: WEST PALM BEACH State: FL		
5.	Date station went silent: 09/30/2011		
6.	Date station commenced operation: 09/24/2012 (mm/dd/yyyy)		
7.	Please explain under which parameters the facility commenced operations (i.e. license, technical sta, construction permit)		[Exhibit 3]

I hereby certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

Typed or Printed Name of Person Signing DAVID MANTWILL	Typed or Printed Title of Person Signing PRESIDENT
Signature	Date (mm/dd/yyyy)

09/24/2012

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Exhibit 3

Description: COMMENCED OPERATION

WALO-LP COMMENCED OPERATION IN ACCORDANCE WITH ITS LICENSED AUTHORIZATION

Attachment 3

ATTACHMENT J

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0386 (July 2002)	FOR FCC USE ONLY
Notification of Suspension of Operations / Request for Silent STA Read Instructions/FAQ before filling out form		FOR COMMISSION USE ONLY FILE NO. BLSTA - 20121017ABU

Section I - General Information

1.	Legal Name of the Applicant SPIRIT PRODUCTIONS, INC.		
	Mailing Address P.O. BOX 3161		
	City TEQUESTA	State or Country (if foreign address) FL	Zip Code 33469 -
	Telephone Number (include area code) 5617460170		E-Mail Address (if available) PMANTWIL@BELL SOUTH.NET
	FCC Registration No 0003753159	Call Sign WALO-LP	Facility ID Number 61930
2.	Contact Representative (if other than licensee/permittee) ROBERT L. OLENDER, ESQ.		Firm or Company Name KOERNER & OLENDER, P.C.
	Mailing Address 11913 GREY HOLLOW COURT		
	City NORTH BETHESDA	State or Country (if foreign address) MD	ZIP Code 20852 -
	Telephone Number (include area code) 3014683336		E-Mail Address (if available) ROLENDER.LAW@COMCAST.NET
3.	Purpose: <input type="radio"/> Notification of Suspension of Operations <input type="radio"/> Notification of Suspension of Operations and Request for Silent STA <input checked="" type="radio"/> Request for Silent STA <input type="radio"/> Request to Extend STA <input type="radio"/> Resumption of Operations		
4.	Community of License: City: WEST PALM BEACH State: FL		
5.	Reason for going silent: <input checked="" type="radio"/> Technical <input type="radio"/> Financing <input type="radio"/> Staffing <input type="radio"/> Program Source <input type="radio"/> Other		
6.	Please provide a justification for the request		[Exhibit 1]
7.	Date Station has gone / will go silent: 10/17/2012 (mm/dd/yyyy)		
8.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.		<input checked="" type="radio"/> Yes <input type="radio"/> No

I hereby certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

Typed or Printed Name of Person Signing DAVID MANTWILL	Typed or Printed Title of Person Signing PRESIDENT
Signature	Date (mm/dd/yyyy) 10/17/2012

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Exhibit 1

Description: REASONS FOR SILENT AUTHORITY

APPLICANT HAS A CONSTRUCTION PERMIT TO GO DIGITAL ON CHANNEL 44(BDISDTL-20100104AAQ) AND NEEDS TO GO SILENT FOR 90 DAYS IN ORDER TO IMPLEMENT THAT AUTHORIZATION.

Attachment 1
