

Exhibit 41 - Statement A  
**NATURE OF APPLICATION**  
**ALLOCATION CONSIDERATIONS & INTERFERENCE ANALYSIS**  
prepared for  
**KHBS Hearst-Argyle Television, Inc.**  
KHBS-DT Fort Smith, Arkansas  
Facility ID 60353  
Ch. 21 325 kW 602 m

*KHBS Hearst-Argyle Television, Inc.* (“*Hearst-Argyle*”) is the licensee of analog station KHBS(TV) Channel 40, Fort Smith, Arkansas (file number BLCT-19840830KH). *Hearst-Argyle* has been granted a Construction Permit (BPCDT-19991101AEE) for the paired KHBS-DT, Channel 21, and has been granted special temporary authorization (“STA”) (BDSTA-20020829ACK) to operate KHBS-DT from a tower adjacent to the structure presently authorized in the KHBS-DT CP. *Hearst-Argyle* herewith submits an application to modify the existing DTV Construction Permit to move to the adjacent tower on which the STA facility is operating.

The CP for KHBS-DT presently authorizes operation with a non-directional effective radiated power (“ERP”) of 345 kW at an antenna height above average terrain (“HAAT”) of 584 meters. The instant application proposes a change in site location of three (3) seconds of latitude and one (1) second of longitude to a different tower, with a slight increase in antenna HAAT to 602 meters, and a commensurate decrease in ERP to 325 kW.<sup>1</sup> The tower structure is registered with the Commission (FCC ASR number 1236080) and supports KHBS-DT as it is operating under STA.

The DTV reference ERP and HAAT of 77.8 kW and 610 meters, respectively, for KHBS-DT have been established under **Appendix B** of the Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders in MM Docket 87-268, FCC 98-315, released December 18, 1998 (“*SMO&O*”), per §73.622(f)(1) of the Commission’s Rules. The proposed KHBS-DT facility will operate with a non-directional ERP of 325 kW at 602 meters HAAT. The proposed ERP/HAAT combination thus exceeds the reference ERP/HAAT. Accordingly, as required by §73.622(f)(5), a study was conducted to evaluate interference to analog facilities and DTV assignments that may be attributed to the proposed KHBS-DT facility.

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<sup>1</sup> The proposed ERP is the maximum permitted for the involved HAAT, per §73.622(f)(8)(i).

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A detailed interference study was conducted in accordance with the terrain dependent Longley-Rice point-to-point propagation model, per the Commission's Office of Engineering and Technology Bulletin number 69, *Longley-Rice Methodology for Evaluating TV Coverage and Interference*, July 2, 1997 ("OET-69")<sup>2</sup>. The interference study examined the change in interference as experienced by other stations that would result from the proposed facility.

All stations considered in this study are listed in **Exhibit 41 - Table I**. The results of the interference study, also summarized in **Exhibit 41 - Table I**, indicate that any additional interference to these stations meets the Commission's 2% / 10% interference limits to all pertinent NTSC and DTV stations and allotments, except with respect to the CP facility for KOZK(TV)(NTSC Ch. 21, Springfield, MO, BPET-20020826ABJ).

As reported on **Exhibit 41 - Table I**, the instant proposal is predicted to cause interference to 2.2% of the population within the protected service area for KOZK(CP). However, the instant proposal is simply a very minor modification of an existing construction permit (BPCDT-19991101AEE, granted on December 11, 2000, far in advance of the filing of KOZK's application on August 26, 2002), wherein KHBS-DT is moving its site only a few seconds and increasing antenna height while reducing ERP to maintain a maximum facility and stay in compliance with FCC Rules for limitations on maximum facilities. As also shown on **Table I**, the presently authorized facility for KHBS-DT is predicted to cause 2.3% interference to the KOZK CP facility. This interference can be considered as "pre-existing," as it was brought about by a minor modification of KOZK well after the grant of the KHBS-DT CP. Since the instant proposal reduces (from 2.30 percent to 2.24 percent) interference predicted to occur to KOZK(CP) from KHBS-DT, it is believed that the instant proposal is in compliance with Commission rules regarding new interference to NTSC stations.

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<sup>2</sup>The implementation of OET-69 for this study followed the guidelines of OET-69 as specified therein. A standard cell size of 2 km was employed. Comparisons of various results of this computer program (run on a Sun processor) to the Commission's implementation of OET-69 show excellent correlation.

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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,<sup>3</sup> the instant proposal causes contour overlap only to KSJA-CA (Lic), Ch. 21, Nashville, Arkansas (Facility ID 35282, BLTTL-19960111AF), 145.4 km distant. KSJA-CA is licensed on Channel 21. According to the FCC's database, a CP has been granted to allow KSJA-CA to move to Channel 29 (BPTTL-20000808ADC & BLTTA-20010102ABB ) which would remove any possibility of interference between KHBS-DT and KSJA-CA.

With regard to the licensed KSJA-CA Channel 21 facility, per §73.623(c)(5)(iii) of the Commission's Rules, a request for waiver of the standard contour protection requirements of §73.623 may be based on a more detailed analysis to show that interference is not likely. Specifically, interference protection to a Class A station from a DTV minor modification may be demonstrated using OET-69 methods. Accordingly, detailed interference studies were conducted in accordance with OET-69 to determine the impact of the proposed KHBS-DT facility on KSJA-CA.<sup>4</sup>

The results of the interference studies regarding Class A station KSJA-CA are summarized in **Table II**. The analysis compares the impact to KSJA-CA from the proposed KHBS-DT facility with that of the present, authorized facility for KHBS-DT. As shown therein, the proposed KHBS-DT facility will cause no interference to KSJA-CA.

Although KSJA-CA has a Class A Construction Permit for operation on Channel 29, the Commission's database shows that no *Application for Class A Television Broadcast Station Construction Permit or License* on FCC Form 302-CA is pending for KSJA-CA on Channel 21.

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<sup>3</sup>See June 2, 2000 Public Notice *Certificates of Eligibility for Class A Television Station Status*, DA 00-1224.

<sup>4</sup>For OET-69 evaluation of Class A station service, a nominal cell size of 1 km was employed (since the Class A station service area is much smaller than that for full-power stations). The service area for the involved analog Class A facility is that area predicted to receive signal levels of at least 74 dBμ using the Longley-Rice methodology, and within the 74 dBμ F(50,50) service contour distance as corrected with the dipole factor.

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For eligible LPTV stations operating on a “core” channel, the deadline for filing such an application (which would trigger continued interference protection) was July 12, 2001.<sup>5</sup> Accordingly, although provided in this case, interference protection to KSJA-CA’s licensed channel 21 facility is not believed to be necessary.

Thus, it is believed that the instant proposal complies with the Commission’s allocation Rules and policies regarding NTSC, DTV, and Class A stations. In the event that the Commission deems a waiver of §73.623 is required with regard to KSJA-CA, one is respectfully requested.

There are no AM stations within 3.2 kilometers of the proposed transmitter site, based on information contained within the Commission’s database. The nearest FCC Monitoring station is 728.2 km distant at Grand Island, Nebraska. This exceeds by a great margin the threshold minimum distance specified in §73.1030(c)(3) that would suggest consideration of the monitoring station.

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<sup>5</sup> See Order, MM Docket 00-10, DA 01-1730, released August 6, 2001.

Exhibit 41 - Table I  
**INTERFERENCE ANALYSIS RESULTS SUMMARY**

prepared for  
**KHBS Hearst-Argyle Television, Inc.**  
KHBS-DT Fort Smith, Arkansas  
Facility ID 60353  
Ch. 21 325 kW 602 m

**DTV Facilities**

<u>Stations Considered</u>	<u>City, State Channel</u>	<u>Distance (km)</u>	<u>Baseline Population (1)</u>	<u>Calculated “Before” Service Population (2)</u>	<u>Calculated “After” Service Population (3)</u>	<u>--- Net “New” Interference --- ( “2 percent” test)</u>		<u>Percentage Reduction of Baseline Population (“10 percent” test) (6)</u>
						<u>Population</u> (4)	<u>Percentage</u> (5)	
KXII-DT (Ref)	Sherman, TX 20	226.2	684,000	----- no interference caused by proposal -----				
KXII-DT (CP)	Sherman, TX 20	226.2	684,000	----- Checklist Facility--- evaluation not required -----				
KAKE-DT (Ref)	Wichita, KS 21	394.2	675,000	----- no interference caused by proposal -----				
KAKE-DT (CP)	Wichita, KS 21	394.1	675,000	----- no interference caused by proposal -----				
KOKI-DT (Ref)	Tulsa, OK 22	139.5	990,000	990,178	988,615	1,563	0.16	0.14
KOKI-DT (CP)	Tulsa, OK 22	139.6	990,000	1,102,760	1,096,098	6,662	0.67	0.00
KWBT-DT (App)	Muskogee, OK 20	127.2	885,263	885,263	883,124	2,139	0.24	0.24
New (App)	Enid, OK 21 (BPRM-20000717ACK)	291.6	885,263	1,066,633	1,066,633	365	0.03	0.03

*Prepared October, 2002 by Mark B. Peabody*

**Cavell, Mertz & Davis, Inc.**

Exhibit 41 - Table I  
**INTERFERENCE ANALYSIS RESULTS SUMMARY**  
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**NTSC Facilities**

<u>Stations Considered</u>	<u>City, State Channel</u>	<u>Distance (km)</u>	<u>Baseline Population (1)</u>	<u>Calculated “Before” Service Population (2)</u>	<u>Calculated “After” Service Population (3)</u>	<u>--- Net “New” Interference --- ( “2 percent” test)</u>		<u>---Total Interference--- from DTV only (“10 percent” test)</u>	
						<u>Population</u> (4)	<u>Percentage</u> (5)	<u>Population</u> (7)	<u>Percentage</u> (8)
KWBT(TV) (Lic)	Muskogee, OK 19	127.2		----- no interference caused by proposal -----					
New (App)	Hot Springs, AR 20 (BPET-19960923KH)	206.44		----- no interference caused by proposal -----					
New (App)	Hot Springs, AR 20 (BPET-19960520KE)	156.3		----- no interference caused by proposal -----					
KPXJ(TV) (Lic)	Minden, LA 21	284.6	414,678	410,228	410,221	7	0.00	3,368	0.81
KOZK(TV) (Lic)	Springfield, MO 21	284.6	507,756	490,869	485,256	5,613	1.11	11,229	2.21
KOZK(TV) (CP)	Springfield, MO 21 (BPET-20020826ABJ)	280.5	514,587	502,254	490,750	11,504	2.24**	12,542	2.44
			<i>(As noted below, this represents a reduction in interference compared to the authorized KHBS-DT CP Facility)</i>						
New (App)	Clarksdale, MS 21 (BPET-19960919KK)	384.8		----- no interference caused by proposal -----					
New (App)	Clarksdale, MS 21 (BPET-19970331SD)	394.6		----- no interference caused by proposal -----					
KTXA(TV) (Lic)	Fort Worth, TX 21	347.5	4,063,207	4,056,991	4,056,991	0	0.00	2,958	0.07

Prepared October, 2002 by Mark B. Peabody

**Cavell, Mertz & Davis, Inc.**

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**NTSC Facilities (continued)**

<u>Stations Considered</u>	<u>City, State Channel</u>	<u>Distance (km)</u>	<u>Baseline Population (1)</u>	<u>Calculated “Before” Service Population (2)</u>	<u>Calculated “After” Service Population (3)</u>	<u>--- Net “New” Interference --- ( “2 percent” test)</u>		<u>---Total Interference--- from DTV only (“10 percent” test)</u>	
						<u>Population (4)</u>	<u>Percentage (5)</u>	<u>Population (7)</u>	<u>Percentage (8)</u>
New (Add)	Texarkana, TX 21 (BPRM-20000717ADN)	190.0		----- no interference caused by proposal -----					
KOKI-TV (Lic)	Tulsa, OK 23	139.6		----- no interference caused by proposal -----					
KPOM-TV (Lic)	Tulsa, OK 24	86.3	428,582	393,014	392,695	319	0.07	17,304	4.04
New (App)	Russellville, AR 28 (BPET-19960711LJ)	131.8		----- no interference caused by proposal -----					
KHOG-TV (Lic)	Fayetteville, AR 29	117.9		----- no interference caused by proposal -----					

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**\*\*Summary of Interference Analysis for Existing, Authorized KHBS-DT Facility (BPCDT-119991101AEE)**

KOZK(TV) (CP)	Springfield, MO 21	284.6	514,587	502,254	490,412	11,842	2.30	12,880	2.50
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*Thus, the instant proposal for KHBS-DT will result in a reduction in interference to 338 persons or 0.06%*

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Exhibit 41 - Table I  
**INTERFERENCE ANALYSIS RESULTS SUMMARY**  
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- Notes: (1) For DTV stations, greater of NTSC or DTV Service Population, from FCC Table  
For NTSC stations, total population within noise-limited contour
- (2) Service population after reduction from terrain and interference losses, before consideration of proposal
- (3) Service population after reduction from terrain and interference losses, considering proposal
- (4) Net change in population receiving interference resulting from proposal, equals (2) minus (3). A number in parenthesis indicates a *reduction* in interference.
- (5) Proposal's impact in terms of percentage, equals (4)/(1) times 100 percent; not to exceed *de minimis* limit of 2.0 percent
- (6) Total interference to DTV stations: equals 100 percent minus [(3)/(1) X 100%]; proposal may not add interference above 10% total. Zero total interference is indicated if (3) is greater than (1).
- (7) NTSC station total population subject to interference from DTV only sources (considering proposal)
- (8) Proposal's impact to NTSC station in terms of percentage, equals (7)/(1) times 100 percent; proposal may not add interference above 10% total

The determination of stations for consideration and the determination of baseline population and interference percentages were made as described in the Commission's August 10, 1998 Public Notice "*Additional Application Processing Guidelines for Digital Television*"



Exhibit 41 - Table II  
**CLASS A STATION INTERFERENCE ANALYSIS RESULTS SUMMARY**  
 prepared for  
**KHBS Hearst-Argyle Television, Inc.**  
 KHBS-DT Fort Smith, Arkansas  
 Facility ID 60353  
 Ch. 21 325 kW 602 m

<u>Stations Considered</u>	<u>City, State Channel</u>	<u>Distance (km)</u>	<u>Baseline Population (1)</u>	<u>Service Population (2)</u>	<i>---- Unique Interference ---- from proposal</i>	
					<u>Population (3)</u>	<u>Percentage (4)</u>
KSJA-CA (Lic)	Nashville, AR 21	145.4	13,390	12,826	0	0.00
<i>(Class A CP Granted to move to Channel 29 - BPTTL-20000808ADC)</i>						

OET-69 Class A station analysis notes:

- (1) Population within 74 dBμ service contour (with dipole factor correction)
- (2) Service population after reduction from terrain and interference losses, before consideration of proposal
- (3) Net change in population receiving interference resulting from proposal  
A number in parenthesis indicates a decrease in interference
- (4) Proposal's impact in terms of percentage, equals (3)/(1) times 100 percent: not to exceed zero when rounded to the nearest whole percent