

In 1999, Sainte Partners II, LP requested a high power, far-reaching digital facility that would provide it with the ability to serve the largest area possible. It was granted a Construction Permit for a maximized facility in April 2002. Sainte began operating a low power digital facility for KCVU in January 2003. In November 2004, Sainte filed its FCC Form 381, certifying that its intention was to build the facility authorized in BPCDT - 19990908AAW (its maximized facility).

Sainte is dedicated to bringing digital service to the small market of Paradise, CA (Paradise is located in the Chico/ Redding DMA which is #132). Sainte has demonstrated this commitment by operating the digital facilities for KCVU at low power since January 2003. Sainte's intent has been to build a maximized facility, as authorized by its 1999 construction permit. However, as Sainte began preparations to build its full power station in order to meet the July 2006 deadline, a new engineering study determined that KCVU can provide a very satisfactory signal to the Paradise community using a much lower power.

The lower power facility proposed in this application will serve the Paradise market very well and reaches nearly all population that could, even arguably, be interested in a Chico-Redding station. As demonstrated by the attached Engineering Statement (Exhibit 1), using Longley-Rice, a calculation of the population lost reveals that less than 10% of the population served with the maximized facility will not receive service with the proposed facilities. A review of the attached map (Exhibit 3) shows that the larger population center affected by this change is actually located in the Sacramento DMA (south of proposed contour), the 9th DMA in the US. Few of the residents in that DMA are interested in a Chico-Redding station, the 132nd DMA. That population is better served by, and seeks service from the Sacramento stations, which will be focused on local issues of concern to its residents. The FCC CDBS database lists eighteen stations licensed to Sacramento and the major listing services assign eleven stations serving this DMA, including all the major networks.

The geographic area loss under the current proposal seems significant at 17.9%. However, as shown in the attached maps at Exhibits 1A, 2 and 3, the new lower power 100 kW proposal has reoriented the antenna toward the mountain range to the northwest and the more populous area in that direction. KCVU sits in a valley flanked on each side by a mountain range. KCVU's signal follows the line of the valley. The terrain of this region allows KCVU to reduce power to 100kW and still serve the vast majority of the population because the population centers are located in the valley. While this proposal does reduce the *area* served, it does little to reduce the *population* served, as the majority of land area loss under this proposal is located in these sparsely inhabited mountain ranges to the northeast.

Sainte must also consider the economic realities of the situation. Having operated a low power facility pursuant to Special Temporary Authority, Sainte realized that Paradise, as a #132 market, cannot support a digital facility of the size and power it is currently authorized to construct. A lower power facility, as proposed in this application, very adequately covers the market and the population that desires to watch a Paradise station and will allow it to channel station revenue into more and better local programming, rather than useless electric power.

Sainte understands that it will lose protection for those portions of its original contour not served by this proposal. However, it is simply not feasible for Sainte to build and operate a maximized facility by the July 1, 2006 deadline. Sainte never intended to mislead the Commission or any other broadcaster about its intentions. Its decision to pursue a lower power proposal is born out of new information that demonstrates the wisdom of lowering power, reorienting the antenna and providing superior service programming. Further, as is demonstrated by the Engineering statement attached as Exhibit 1, no other broadcast television DTV applicant

has been prejudiced by Sainte's earlier maximized application. Sainte respectfully requests that the Commission consider its demonstrated dedication to providing digital service, the economics of providing television service to a small market, and the very important fact that the market is very adequately served by the proposed facility. Sainte requests a reduction in power in order to build-out a quality facility that will serve its community of license.

The reference application has been questioned with regard to the fact that it proposes to lower presently authorized maximum effective radiated power from 661 kW to 100 kW (please see attached Exhibit 1). The current construction permit would provide for a noise-limited service contour of 27,478 square kilometers as opposed to the 22,251 square kilometers of the pending proposal, a loss of 17.9%. Parenthetically, Exhibit 1 also indicates that both the construction permit and the application provide essential replication of the authorized NTSC service contour. Census 2000 population for the F.C.C. derived construction permit area is 603,207 as opposed to 533,992 for the pending proposal, a loss of 11.5%. Even so, it is a fact that the slight construction permit extension would provide a "service" mainly to mountainous and sparsely inhabited areas comprising California's Coast Range to the west and Sierra Nevada to the east. Attached Exhibit 1A shows how this terrain lies in relationship to the valley floor, validating the Longley-Rice predictions of attached Exhibits 2 and 3. These clearly indicate that the actual difference in coverage between the original and revised proposals is slight. Although the application proposes to use only about 15% of the permit power, attention is directed to the antenna patterns of Exhibits 2 and 3. These indicate that a proponderance of the permit power is oriented toward the northeast--directly into the Sierra Nevada, where the terrain is such that only miniscule improvements in actual service are provided. Specifically, the construction permit provides a Longley-Rice noise-limited signal to 506,317 persons within the F.C.C. contour as opposed to the application's 456,492, a loss of only 9.8%.

The possibility is also noted that the construction permit power may have precluded other stations from maximizing their DTV areas. In this instance, a 300 km search reveals one co-channel station, KAME-TV, Reno NV; one lower first adjacent station, KBWB, San Francisco, CA; and one higher first adjacent station, KMAX-TV Sacramento, CA. An examination of the application history of these facilities indicates that none appears to have been impacted by the KCVU permit.

Respectfully submitted,

A handwritten signature in black ink that reads "Mel Freedman". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Mel Freedman
Engineer for Sainte Partners II, L.P.

5 May 2006

TABLE 1

Stations licensed to Sacramento, California from the FCC CDBS Database

	Call Sign	Facility Id	Service	Licensee	Status
1	K22FR	47716	TX	NATIONAL MINORITY T.V., INC.	LICENSED
2	K27EU	334	CA	ABUNDANT LIFE BROADCASTING, INC.	LICENSED
3	K38GE	17550	TX	DR. W. R. PORTEE	LICENSED
4	K45HC	67970	TX	TRINITY BROADCASTING NETWORK	LICENSED
5	KBTV-CA	2424	CA	TOWER OF BABEL SACRAMENTO LICENSING, LLC	LICENSED
6	KCRA-TV	33875	TV	HEARST-ARGYLE STATIONS, INC.	LICENSED
7	KCSO-LP	18998	TX	SAINTE 51, L.P.	LICENSED
8	KEZT-CA	52891	CA	TELEFUTURA SACRAMENTO LLC	LICENSED
9	KMAX-TV	51499	TV	SACRAMENTO TELEVISION STATIONS INC.	LICENSED
10	KMMK-LP	18738	TX	CABALLERO TELEVISION TEXAS, L.L.C.	LICENSED
11	KMUM-CA	18736	CA	CABALLERO ACQUISITION INC.	LICENSED
12	KRJR-CA	64982	CA	WORD OF GOD FELLOWSHIP, INC.	LICENSED
13	KSAO-LP	34578	TX	GARY M. COCOLA FAMILY TRUST, GARY M. COCOLA TRUSTEE	LICENSED
14	KSPX	52953	TV	PAXSON SACRAMENTO LICENSE, INC.	LICENSED
15	KSTV-LP	34570	TX	GARY M. COCOLA FAMILY TRUST, GARY M. COCOLA TRUSTEE	LICENSED
16	KTXL	10205	TV	CHANNEL 40, INC.	LICENSED
17	KVIE	35855	TV	KVIE, INC.	LICENSED
18	KXTV	25048	TV	KXTV, INC.	LICENSED
1	NEW	159263	DT	KVIE, INC.	CP APPLIED FOR
2	NEW	159480	DT	LESEA EDUCATIONAL BROADCASTING OF SACRAMENTO, INC.	CP APPLIED FOR
3	NEW	159499	DT	CALVARY CHRISTIAN CENTER, INC.	CP APPLIED FOR
4	NEW	159505	DT	FAMILY STATIONS, INC.	CP APPLIED FOR
5	NEW	159507	DT	ESP TECHNOLOGY COMMUNITY BROADCASTERS	CP APPLIED FOR
6	NEW	159512	DT	AMAZING FACTS, INC.	CP APPLIED FOR
7	NEW	159532	DT	RISING TIDE OF SACRAMENTO	CP APPLIED FOR
8	NEW	159533	DT	GRANT EDUCATIONAL FOUNDATION	CP APPLIED FOR



According to TV Newsday's TV station directory, http://www.tvnewsday.com/station_directory/dma/?id=19 the following list of eleven television stations serving the Sacramento market.

Sacramento-Stockton-Modesto, CA

DMA rank: 19

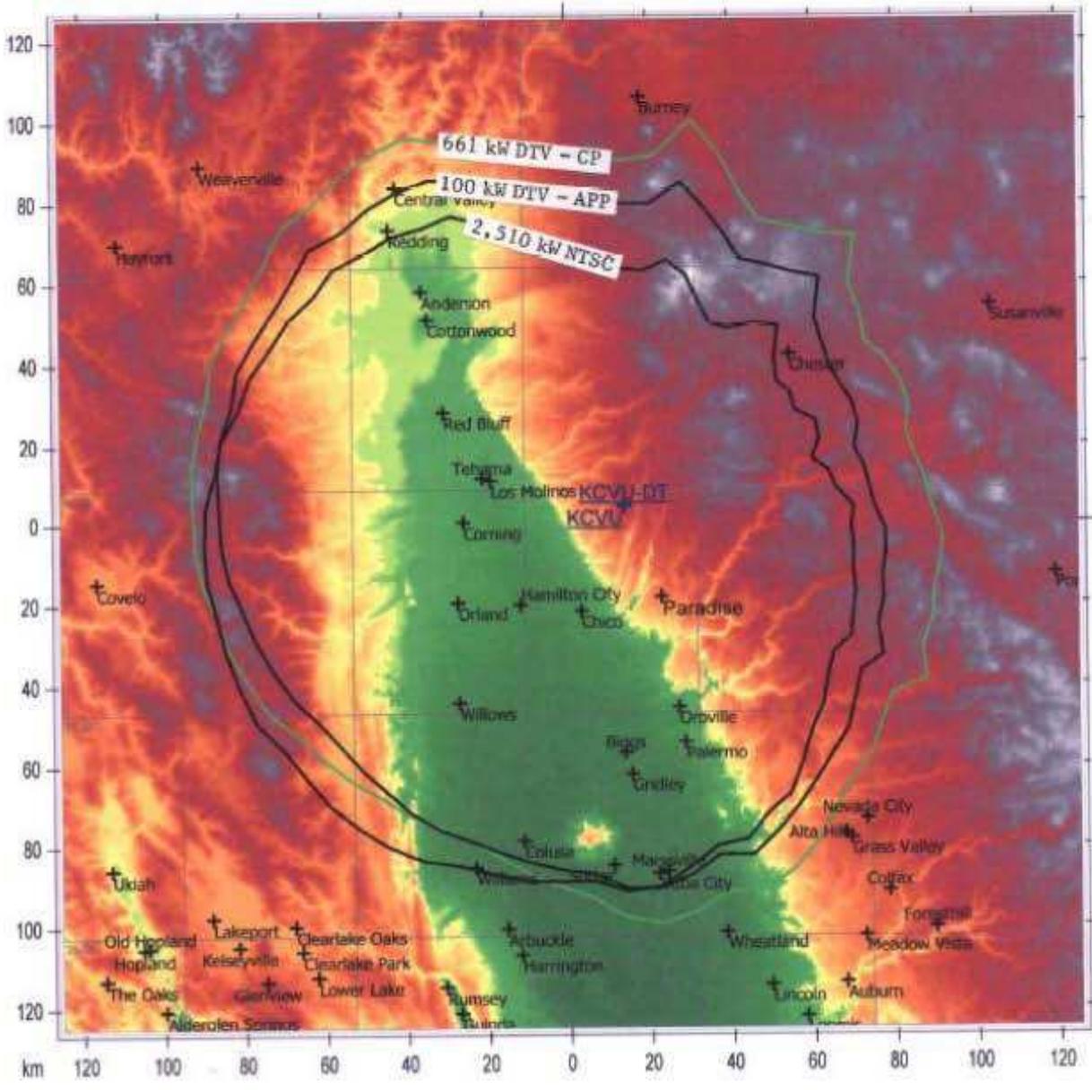
Households in DMA: 1,345,820

Percentage of total U.S. households in DMA: 1.221

1. **KBSV** (Ceres, CA)
2. **KCRA-TV** (Sacramento, CA) NBC
3. **KMAX-TV** (Sacramento, CA) UPN
4. **KOVR** (Stockton, CA) CBS
5. **KQCA** (Stockton, CA) WB
6. **KSPX** (Sacramento, CA) PAX
7. **KTFK-TV** (Stockton, CA) Telefutera
8. **KTXL** (Sacramento, CA) Fox
9. **KUVS-TV** (Modesto, CA) Univision
10. **KVIE** (Sacramento, CA) PBS
11. **KXTV** (Sacramento, CA) ABC

This same listing of stations appears in *Broadcasting Cable Yearbook 2006*.

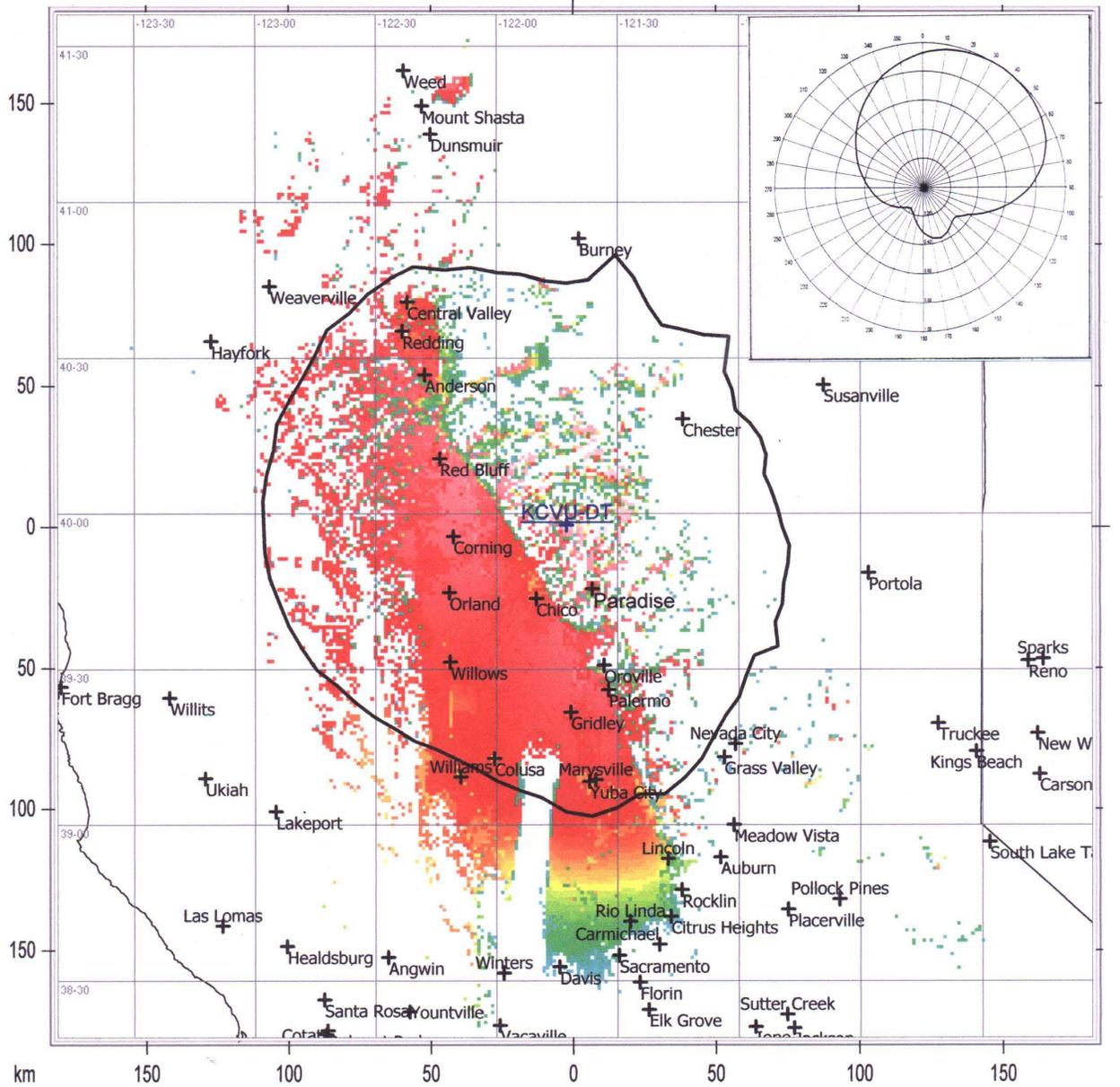
KCVU-DT - PARADISE, CA - 100 kW APPLICATION



F.C.C. SERVICE CONTOURS AS CAPTIONED



KCVU-DT - PARADISE, CA - 661 kW CONSTRUCTION PERMIT



F.C.C. / LONGLEY-RICE NOISE-LIMITED SERVICE AREAS

