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June 27, 2006

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**ELECTRONICALLY FILED
(VIA ECFS)**

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

**Re: MB Docket No. 03-15
WAOE-DT, Peoria, Illinois (Facility ID #52280)
Request for Waiver of Replication/Maximization Interference
Protection Deadline**

Dear Ms. Dortch:

On behalf of Four Seasons Peoria, LLC (“Four Seasons”), the permittee of digital television (“DTV”) station WAOE-DT, Peoria, Illinois (“WAOE”), we hereby request a waiver of the July 1, 2006 replication/maximization interference protection deadline applicable to this station. *See Second Periodic Review of the Commission’s Rules and Regulations Concerning the Transition to Digital Television*, MB Docket No. 03-15, FCC 04-192, ¶ 78 (Sept. 7, 2004). This request is being filed electronically through ECFS pursuant to the FCC’s public notice regarding requests for waiver of the deadline. *See Public Notice, DTV Channel Election Issues – Compliance with the July 1, 2006 Replication/Maximization Interference Protection Deadline; Stations Seeking Extension of the Deadline*, DA 06-1255 (June 14, 2006) (the “*Deadline Public Notice*”).

WAOE currently operates on NTSC channel 59 and DTV channel 39. As a digital television permittee that has received a tentative channel designation on its current digital channel, WAOE is required to be operating with full, authorized DTV facilities by July 1, 2006.

WAOE’s outstanding DTV construction permit, issued in May 2001, specifies an ERP of 100 kW and an antenna height above average terrain (“HAAT”) of 180 meters. *See* File No. BPCDT-19991101AED. Over the passage of time, and due largely to the fact that sufficient commercial electric power has proven unavailable for the power authorized in WAOE’s DTV construction permit, Four Seasons has continued to explore more cost-effective and expedient means of maximizing its DTV facility. Toward that end, Four Seasons has recently reached agreement to locate the WAOE DTV facility on an existing tower utilized by WEEK-TV, another television station in the Peoria market. In March 2006, Four Seasons filed an application to modify

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WAOE's DTV construction permit to specify the WEEK-TV site, with an ERP of 39 kW and an increased HAAT of 190 meters. See File No. BMPCDT-20060323ACF. The modified DTV facility would serve a large majority of the population within the 41 dBu contour of WAOE(TV)'s currently outstanding construction permit. The application for modification of the construction permit remains pending.¹ Insofar as it is unlikely the application will be granted and a covering license application filed by the July 1, 2006 replication/maximization interference protection deadline, Four Seasons respectfully requests a waiver of the deadline pursuant to the *Deadline Public Notice*. Once its DTV construction permit modification is granted, Four Seasons will act expeditiously to construct and initiate operation with its modified DTV facilities.

Should there be any questions concerning this matter, please contact the undersigned.

Very truly yours,



Gregory L. Masters

cc: Shaun Maher, Esq., Video Division (via email)

¹ In the interim, WAOE is operating with an ERP of 4.26 kW at a HAAT of 162 meters from another tower site pursuant to special temporary authority ("STA"). See FCC File No. BEDSTA-20020906ABQ. Concurrently herewith, Four Seasons is filing electronically a request for extension of that STA.