

**Station KDIN-DT, Des Moines, IA
Post-Transition DTV Facility Form 340 Application**

DTV Contour Extension - Freeze Waiver Request

In connection with this application, Iowa Public Broadcasting Board (“IPBB”), licensee of noncommercial educational television station KDIN-TV/DT, NTSC Channel 11 and pre-transition DTV Channel 50, Des Moines, Iowa, requests a waiver of the maximization freeze as announced by the *Public Notice* entitled “Freeze on the Filing of Certain TV and DTV Requests for Allotment or Service Area Changes,”¹ and as most recently addressed by *In the Matter of Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*.²

The foregoing Engineering Statement provides an explanation and justification for this waiver. IPBB further supplements that waiver request as follows. In the *Third Periodic Review*, the Commission announced that it would consider requests to waive the freeze before August 17, 2008 in order to provide for minimally expanded facilities where necessary to ensure that stations can serve their existing television viewers with their post-transition facilities, thereby meeting viewers’ reception expectations.³ Specifically, the Commission adopted a waiver policy to permit rapid approval of minor expansion applications by stations that are not using their pre-transition DTV channel for post-transition operation, provided that such expansion:

“(1) Would allow the station to use its analog antenna or a new antenna to avoid a significant reduction in post-transition service from its analog service area;

(2) Would be no more than five miles larger in any direction than their authorized service area, as defined by the post-transition DTV Table Appendix B; and

(3) Would not cause impermissible interference, i.e., more than 0.5 percent new interference, to other stations.”⁴

As detailed in the Engineering Statement, KDIN-DT meets these standards for the freeze waiver in the connection with the instant application. First, KDIN-DT will operate its post-transition facility on DTV Channel 11, its current analog channel. Second, IPBB will use the station’s existing analog antenna for its post-transition DTV facility. Third, the proposed facility provides only an extremely minimal expansion beyond the station’s Appendix B facility due to the use of the existing non-directional analog antenna. Fourth, the facility proposed by this application would be no more than five miles larger in any direction than the authorized service area, as defined by the post-transition DTV Table Appendix B. Lastly, the proposed facility would not cause any prohibited interference. Accordingly, IPBB requests a waiver to allow for the proposed minor expansion to KDIN’s post-transition DTV Channel 11 facility, in order to utilize its existing antenna and replicate its coverage area.

¹ *Public Notice*, DA 04-2446 (Rel. Aug. 3, 2004).

² *Report and Order*, MM Docket No. 07-91, FCC 07-228 (Rel. Dec. 31, 2007) (“*Third Periodic Review*”).

³ *Third Periodic Review* at ¶ 148.

⁴ *Third Periodic Review* at ¶ 151.