

Exhibit 42 – Statement A  
**NATURE OF THE PROPOSAL**  
prepared for  
**WSET Incorporated**  
WSET-DT Lynchburg, Virginia  
Facility ID 73988  
Ch. 34 200 kW 568.4 m

*WSET Incorporated* (“WSET”), is the permittee of digital television (“DTV”) station WSET-DT, Channel 34, Lynchburg, Virginia. The paired NTSC facility is WSET-TV, NTSC Channel 13. Under its Construction Permit (“CP”, BMPCDT-20021001AAJ), WSET-DT is authorized to operate with an effective radiated power (“ERP”) of 716 kilowatts at an antenna height above average terrain (“HAAT”) of 568 meters. WSET-DT is currently operating pursuant to a Special Temporary Authorization (“STA”, BMDSTA-20050308ACJ) that authorizes operation of WSET-DT with the CP facility at a reduced power level of 200 kW ERP.

As part of the DTV channel election process, WSET elected the paired NTSC Channel 13 for WSET-DT in the first-round channel election (BFRECT-20050210AMG), and certified that it would operate the post-transition DTV facility based on the facility authorized in the CP (BCERCT-20041105BAK). The WSET-DT first-round channel election of Channel 13 has met the initial hurdles and is listed in the tentative DTV channel designations shown in the FCC’s Public Notice<sup>1</sup> released on June 23, 2005. Thus, the coverage footprint achieved by the authorized Channel 34 DTV facility may be “carried over” to the final WSET DTV channel.

The FCC’s channel election order<sup>2</sup> provides some flexibility to stations such as WSET-DT which ultimately selected a channel other than their present DTV channel, in that if certain population match of the “as-built” DTV facility reaches a prescribed threshold, then the certified (larger) service contour may be employed for the service area “carry over” to the final channel. In this case, WSET-DT would have to achieve at least a 100 percent population match with its “as-built” facility and the 1997 baseline by July 1, 2005 in order to carry over the entire replication service back to its final in-core channel. As shown below, the present STA facility meets this requirement. Thus, the instant application requests a modification of the current CP to specify 200 kW ERP.

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<sup>1</sup> *Public Notice* “DTV Tentative Channel Designations for 1,554 Stations Participating in the First Round of DTV Channel Elections”, DA 05-1743, Released June 23, 2005.

<sup>2</sup> *Memorandum Opinion and Order on Reconsideration, Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*, MM Docket 00-39, FCC 01-330, released November 15, 2004.

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As shown below, the facility proposed herein, which is identical to the currently authorized STA facility, would achieve a 104.9 percent population match<sup>3</sup>.

### WSET-DT Population Match Determination

<u>WSET-TV Facility</u>	<u>ERP/HAAT</u>	<u>Interference-Free Service Population (2000 Census)</u>	<u>Percent Match of Target</u>
NTSC Ch. 13 (1997 baseline facility)	302 kW / 625 m	894,477	--
DTV Ch. 34 DTV Allotment	660 kW / 625 m	1,146,328	--
DTV Ch. 34 STA / Proposed Facility	200 kW / 568.4 m	938,134	104.9%

The map attached as **Exhibit 42 – Figure 1** supplies a comparison of the presently authorized and proposed 41 dBμ noise-limited DTV service contour locations. No extension in contour location will result, in compliance with the Commission’s August 3, 2004 “freeze” concerning expansion in service area.<sup>4</sup> Further, **Exhibit 42 - Figure 1** also demonstrates that the principal community will be encompassed by the proposed facility’s 48 dBμ contour.

The nearest FCC monitoring station is at Laurel, Maryland, at a distance of 320.7 km from the proposed site. This exceeds by a great margin the threshold minimum distance specified in §73.1030(c)(3) that would suggest consideration of the monitoring station. The proposed site is also located outside the area specified in §73.1030(a)(1). Thus, notification of the instant proposal to the National Radio Astronomy Observatory at Green Bank, West Virginia, is not required. Further, there are no AM broadcast stations within 3.2 km (2 miles) of the WSET-DT site, according to information extracted from the Commission’s engineering database.

Thus, the instant proposal is believed to be in compliance with the Commission’s Rules.

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<sup>3</sup> Interference-free service population is population within the contour less population subject to terrain blockage and interference per FCC OET Bulletin 69. Target population for the “Percent Match” is the smaller interference-free service population of the 1997 NTSC facility and the DTV allotment using 2000 Census population data.

<sup>4</sup> *Public Notice* “Freeze on the Filing of Certain TV and DTV Requests for Allotment or Service Area Changes,” DA 04-2446, released August 3, 2004.

**EXHIBIT 42 - FIGURE 1**  
**AUTHORIZED AND PROPOSED COVERAGE CONTOURS**

prepared June 2005 for  
**WSET Incorporated**  
WSET-DT Lynchburg, Virginia  
Ch. 34 200 kW 568.4 m

Cavell, Mertz & Davis, Inc.  
Manassas, Virginia

Proposed DTV Ch. 34  
200 kW 568.4 m  
41 dBu F(50,90)  
48 dBu F(50,90)  
Site

DTV Ch. 34 CP  
(BMPCDT-20021001AAAJ)  
41 dBu F(50,90)  
716 kW 568.4 m

