

Apple Valley Broadcasting, Inc. ("AVB"), permittee of KAPP-DT (Channel 14) (FCC File No. BMPCDT-20041101AED)¹ Yakima, WA, hereby respectfully requests, pursuant to Section 73.1635 of the FCC's Rules, an extension of its Special Temporary Authority ("STA") to continue digital television ("DTV") broadcasts with a directional antenna at reduced power and reduced antenna height. Temporary operation is permitted under the FCC's policies permitting stations to commence service with facilities that meet the minimum requirements set forth in Section 73.625(a)(1) of the Commission's Rules.² AVB's outstanding construction permit is deemed to extend automatically until the deadline for construction of replication or maximization facilities.

AVB's temporary facilities will continue to satisfy the station's initial DTV build-out requirement by providing city-grade coverage of KAPP-DT's community of license, Yakima, Washington. AVB proposes to continue temporary operations using its assigned DTV Channel 14 at its authorized DTV coordinates (see attached construction permit), but at a reduced maximum effective radiated power (average) of 79 kW and with a directional antenna. The proposed temporary power is far less than KAPP-DT's maximum effective radiated power (average) of 160 kW as authorized in the station's current construction permit.

AVB's proposed temporary operations would remain well within its permanently authorized DTV antenna radiation pattern, and therefore no interference problems are anticipated. AVB previously has submitted "no objection" letters from nearby land-mobile stations in connection with special operating condition 1 on the previous KAPP-DT construction permit. Should there be any unexpected interference, AVB will take immediate steps to cure it and will cease its temporary operations should the interference not be resolved.

AVB desires to continue serving the Yakima community with DTV broadcasts and to continue demonstrating to the public the benefits of this new digital technology. Accordingly, AVB submits that grant of this request is in the public interest and respectfully requests STA **commencing November 24, 2005** and extending one hundred eighty (180) days, until **May 23, 2006**. AVB certifies that the facilities are in compliance with the FCC's rules and that coverage in any direction does not exceed that resulting from the station's construction permit.

¹ A copy of this construction permit, which the FCC granted on November 4, 2004, is attached for convenience of FCC staff at Attachment 1. AVB has previously obtained STA for digital operations in connection with the construction permit (BMPCDT-20000229ABX) immediately preceding AVB's current construction permit; however, no changes to AVB's current DTV operations are proposed herein.

² See Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, Memorandum Opinion and Order on Reconsideration, 16 FCC Rcd 20594 (re. November 15, 2001) at ¶¶ 17, 25, 34-36. KAPP's initial STA request makes clear that the STA operations meet the minimum field strength now required under FCC rules, which is a F(50,90) field strength of 48 dB above one uV/m over the entire principal community to be served for Channel 14.

Attachment 1

United States of America
FEDERAL COMMUNICATIONS COMMISSION
DIGITAL TELEVISION BROADCAST STATION
CONSTRUCTION PERMIT

Authorizing Official:

Official Mailing Address:

APPLE VALLEY BROADCASTING, INC.
1610 SOUTH 24TH AVENUE
YAKIMA WA 98909

Clay C. Pendarvis
Associate Chief
Video Division
Media Bureau

Facility Id: 2506

Grant Date: November 04, 2004

Call Sign: KAPP-DT

This permit expires 3:00 a.m.
local time, 6 months after the
grant date specified above.

Permit File Number: BMPCDT-20041101AED

This permit modifies permit no.: BMPCDT-20000229ABX

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Name of Permittee: APPLE VALLEY BROADCASTING, INC.

Station Location: WA-YAKIMA

Frequency (MHz): 470 - 476

Channel: 14

Hours of Operation: Unlimited

Callsign: KAPP-DT

Permit No.: BMPCDT-20041101AED

Transmitter: Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Antenna type: (directional or non-directional): Non-Directional

Description: DIE, TUF-O4-14/56H-1-T

Beam Tilt: 0.7 Degrees Electrical

Major lobe directions (degrees true): Not Applicable

Antenna Coordinates: North Latitude: 46 deg 31 min 57 sec

West Longitude: 120 deg 30 min 37 sec

Transmitter output power: As required to achieve authorized ERP.

Maximum effective radiated power (Average): 160 kW
22 DBK

Height of radiation center above ground: 45 Meters

Height of radiation center above mean sea level: 647 Meters

Height of radiation center above average terrain: 293 Meters

Antenna structure registration number: 1032389

Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure.

Special operating conditions or restrictions:

- 1 During equipment tests, authorized by Section 73.1610 of the Commission's Rules, the permittee shall take adequate measures to identify and substantially eliminate objectionable interference which may be caused to existing land mobile radio facilities in the 460 to 470 MHz band. Documentation that objectionable interference will not be caused to existing land mobile radio facilities shall be submitted along with the request for Program Test Authority. Program tests shall not be commenced under Section 73.1620(a) of the Commission's Rules and may only be started after specific authority is granted by the Commission. An application for a license must be filed within 10 days after the start of program tests.

Special operating conditions or restrictions:

- 2 The grant of this construction permit is subject to the condition that, with ample time before commencing operation, you make a good faith effort to identify and notify health care facilities (e.g., hospitals, nursing homes, see 47 CFR 15.242(a)(1)) within your service area potentially affected by your DTV operations. Contact with state and/or local hospital associations and local governmental health care licensing authorities may prove helpful in this process. During this pre-broadcast period, you must provide all notified entities with relevant technical details of your operation, such as DTV channel, targeted on-air date, effective radiated power, antenna location, and antenna height. You are required to place in the station's public inspection file documentation of the notifications and contacts made and you may not commence operations until good faith efforts have been made to notify affected health care facilities. During this pre-broadcast period and for up to twenty (20) days after commencing operations, should you become aware of any instances of medical devices malfunctioning or that such devices are likely to malfunction due to your DTV operations, you must cooperate with the health care facility so that it is afforded a reasonable opportunity to resolve the interference problem. At such time as all provisions of this condition have been fulfilled, and either upon the expiration of twenty (20) days following commencement of operations or when all known interference problems have been resolved, whichever is later, this condition lapses.

*** END OF AUTHORIZATION ***