

Application For Digital Television Broadcast Station License  
Television Station KRMU-DT  
Durango, Colorado  
Channel 20

**EXHIBIT 7 – Amendment**  
April, 2005

In its original license application filing for Station KRMU-DT, submitted October 12, 2004 in FCC File No. BLEDT-20041012AIM, Rocky Mountain Public Broadcasting Network, Inc. (“Rocky Mountain”) disclosed that the station facility as constructed at that time varied in certain aspects from that authorized by the construction permit in FCC File No. BPEDT- 20040126AJT. A description of, and explanation for, the variances was included as Exhibit 7 to the initial license application and remains attached to this amendment filing.

As Rocky Mountain explained in the original license application, the antenna substitution in the KRMU-DT facility as initially constructed was a temporary measure, and it was expected that the permanent antenna specified by the construction permit would be installed shortly thereafter. Rocky Mountain has now completed installation of the permanent antenna specified by the permit (model/make RFS RD-4UA), and updated the license application accordingly. Rocky Mountain now seeks to correct the maximum ERP to 12.5 kw. Rocky Mountain previously requested that the FCC accept the license application for filing, but hold it in abeyance until the antenna change occurred and this amendment was submitted.

In the original license application, Rocky Mountain also noted that it planned to file an FCC Form 340 minor change application to reduce power for KRMU-DT to match the transmitter’s capabilities, as soon as the permanent antenna was installed. Therefore, Rocky Mountain has prepared and filed a separate Form 340 application FCC File No. BMPEDT-20050414ACG.

**Justification for Power Reduction**

Rocky Mountain Public Broadcasting Network, Inc. (“Rocky Mountain”), submits this Justification for Change of Authorized Power Level and Reduction of Anticipated DTV Service Area for noncommercial educational television Station KRMU-DT, Durango, Colorado.

Rocky Mountain requested that the license reflect the lower power output of KRMU-DT’s constructed transmitter (12.5kW, reduced from 46kW). Rocky Mountain acknowledges that lowering the power level of its transmitter will result in a smaller service contour for the station, and that a smaller number of viewers will receive KRMU-DT’s service than was anticipated under the original KRMU-DT construction permit.

See Engineering Statement, attached at Attachment A. Rocky Mountain respectfully submits that licensing at the reduced power is justified in this case.

The FCC will grant such reduced power modifications if there are “countervailing public interest factors sufficient to offset” the loss of service. *In re Central Coast Television*, 14 FCC 2d 985, 986 (Rev. Bd., 1968). Additionally, while the Commission has recognized that “once in operation, a station assumes an obligation to maintain service to its viewing audience,” *In re Triangle Publications, Inc.*, 37 FCC 307, 313 (Comm’n, 1964), in the case of unbuilt stations, the Commission has been much more flexible in granting modifications that would shrink the number of anticipated viewers to be served by the station. See *In re John McCutcheon, et. al.*, 4 FCC Rcd 2079 (Comm’n, 1989) (“In the case of unbuilt stations. . . the Commission allows considerable latitude in the location of transmitter sites and in the modification of facilities”).

At the time of the power reduction, KRMU-DT had just completed original construction. The station has therefore not yet assumed an obligation to maintain service to its viewing audience because its service to citizens of Durango and the surrounding areas had not yet begun. Thus, any loss is only “on paper.”

Past FCC decisions have held that where the number of persons who will “lose” service is relatively small, the loss is *de minimis*. See *In re KTVO, Inc.*, 57 Rad. Reg. 2d 648 (Comm’n, 1984) (“we recognize that the application of [the FCC’s loss of service policy] would be unduly rigid unless relatively small white areas could be considered *de minimis* and disregarded”); *In re WSET, Inc.*, 80 FCC 2d 233 (Comm’n, 1980) (holding loss by 500 persons of sole ABC service to be *de minimis*). Relatively speaking, the “loss” of viewers in KRMU-DT’s service area is similarly *de minimis*; of the 87,532 viewers originally anticipated to receive service from KRMU-DT, only 27 viewers will remain unserved, and only 1,332 viewers will remain underserved. See Attachment A. More than ninety-one percent (91.6%) of the population living in KRMU-DT’s “loss” area, on the other hand, would continue to be well-served by at least three commercial television services. See Attachment A.

As an additional mitigating consideration, Rocky Mountain notes that its request to modify the operation of KRMU-DT results from its need—as a regional public broadcaster operating on a very tight budget—to conserve financial resources. As noted in Amendment to FCC File No. BLEDT-20041012AIM, Rocky Mountain was only able to construct the station when it received a grant from the Corporation for Public Broadcasting through the Digital Distribution Fund. Rocky Mountain therefore lacks the financial resources to operate KRMU-DT at the power levels set in the original construction permit.

In light of the fact that viewers will not technically “lose” any television service provided to them and the fact that any “loss” area is *de minimis* in terms of the anticipated viewer population affected, Rocky Mountain therefore respectfully requests that the Commission grant its application to modify its license application to specify a reduced power output for Station KRMU-DT.

ENGINEERING STATEMENT  
CONCERNING OTHER TELEVISION SERVICES ANALYSIS  
TELEVISION STATION KRMU-DT  
DURANGO, COLORADO  
CHANNEL 20 12.6 KW(MAX-DA) 130 M

This Engineering Statement was prepared on behalf of television station KRMU-DT, Durango, Colorado, concerning an analysis of other commercial and non-commercial educational ("NCE") television services within its predicted construction permit and proposed 41 dBu, f(50,90) noise-limited contours. As detailed herein, the analysis reveals that there are no other NCE television services within KRMU-DT construction permit or proposed 41 dBu contours. However, nearly 100% of the population within the KRMU-DT predicted 41 dBu contour loss area is served with at least one or more other full-service commercial analog television services; and, 92% of the KRMU-DT predicted 41 dBu contour loss area population is served by at least three other commercial television services.

The analysis was conducted using the predicted construction permit and proposed 41 dBu, f(50,90) contours of KRMU-DT and the predicted Grade B contours of all other full-service authorized analog television stations with predicted contours overlapping that of KRMU-DT. The contours were calculated according to the conventional methods outlined in the FCC Rules using the U.S.G.S. 3-second terrain database. The FCC CDBS Engineering Database was the source of the technical information for the stations under study.

The predicted contours of the subject stations were projected on a map and a count of other television services throughout the KRMU-DT 41 dBu contour area was made. The population was analyzed using the 2000 Census block data and area was analyzed through numerical integration. Figure 1 is a map showing the predicted KRMU-DT construction permit and proposed 41 dBu contours and the Grade B contours of other television services. Figure 2 is a tabulation of the television stations considered

in the analysis. As noted above, there are no other NCE stations providing Grade B service in the subject areas. The tables below summarize the results of the analysis:

	Other Commercial Television Services Available Within KRMU-DT Loss Area				Total within KRMU-DT 41 dBu Loss Area
	0	1	2	3	
Population (2000)	27 (0.2%)	1,117 (6.9%)	215 (1.3%)	14,741 (91.6%)	16,100 (100%)
Area (sq. km)	314 (14.9%)	623 (29.6%)	129 (6.1%)	1,041 (49.4%)	2,107 (100%)

The total population within the KRMU-DT construction permit 41 dBu contour is 87,532 within an area of 10,080 square kilometers. The total population within the KRMU-DT proposed 41 dBu contour is 71,432 within an area 7,973 square kilometers. The population within the 41 dBu loss area is 18.4% of the construction permit 41 dBu contour population.

This statement was prepared by me or under my direction and it is true and correct to the best of my knowledge and belief.

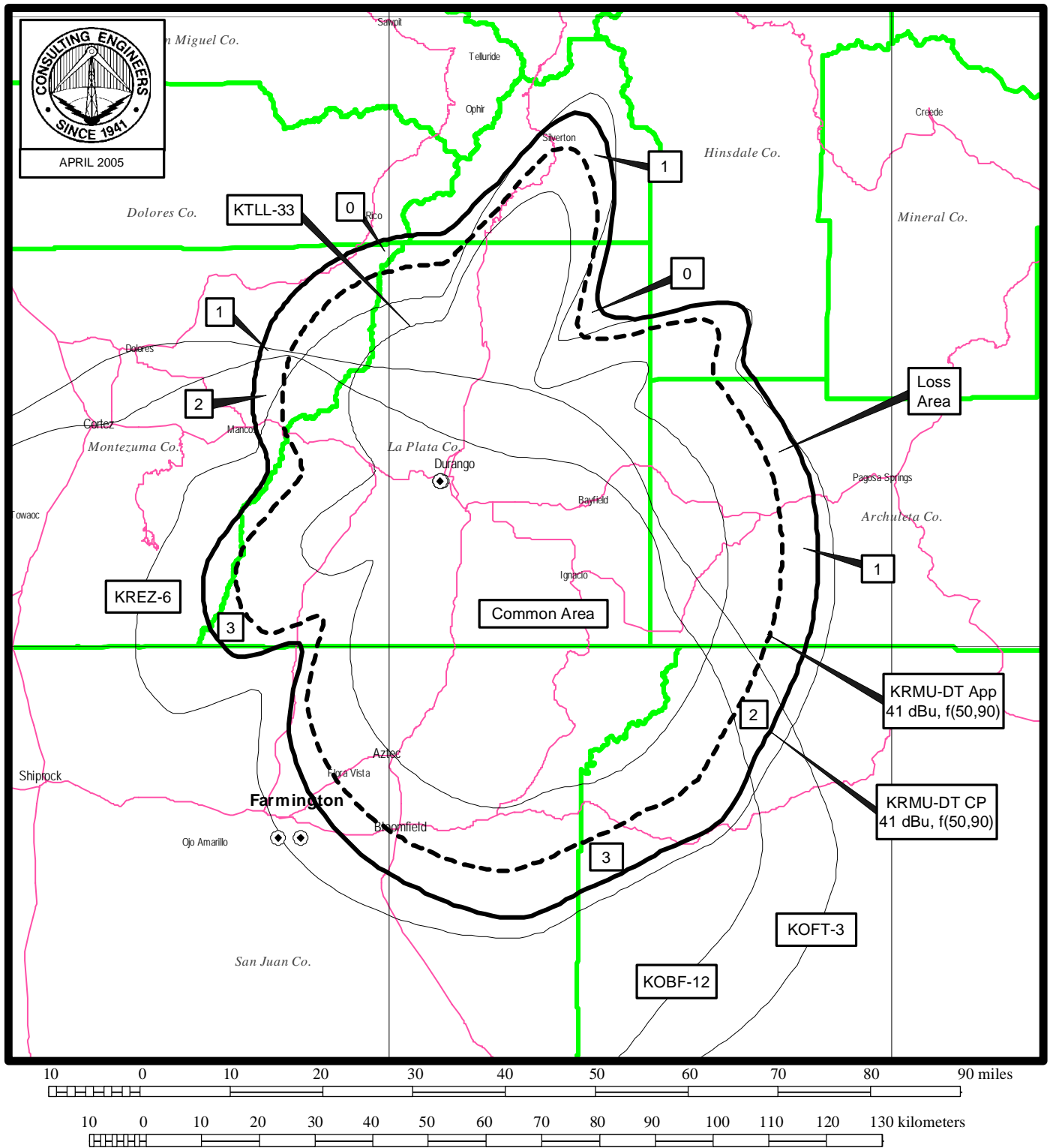


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Figure 1



## TV RECEPTION SERVICES IN KRMU-DT 41 dBu CONTOUR

Prepared For:  
ROCKY MOUNTAIN PUBLIC BROADCASTING NETWORK, INC.

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

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Stations Considered in Analysis of Other Television Services

Number	Station
1	KOFT, FARMINGTON, NM, Channel 3
2	KREZ-T, DURANGO, CO, Channel 6
3	KOBF, FARMINGTON, NM, Channel 12
4	KTLL-T, DURANGO, CO, Channel 33