

application that are being revised.

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

Section II - Legal

1.	<p>Certification. Applicant certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Applicant further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets.</p>	<input checked="" type="radio"/> Yes <input type="radio"/> No
2.	<p>Parties to the Application.</p> <p>a. List the applicant, and, if other than a natural person, its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. If a corporation or partnership holds an attributable interest in the applicant, list separately its officers, directors, stockholders with attributable interests, non-insulated partners and/or members. Create a separate row for each individual or entity. Attach additional pages if necessary.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>(1) Name and address of the applicant and each party to the application holding an attributable interest (if other than individual also show name, address and citizenship of natural person authorized to vote the stock or holding the attributable interest). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and other entities with attributable interests, and partners.</p> <p>[Enter Parties/Owners Information]</p> </div> <div style="width: 48%;"> <p>(2) Citizenship.</p> <p>(3) Positional Interest: Officer, director, general partner, limited partner, LLC member, investor/creditor attributable under the Commission's equity/debt plus standard, etc.</p> <p>(4) Percentage of votes.</p> <p>(5) Percentage of total assets (equity plus debt).</p> </div> </div>	
	<p>b. Applicant certifies that equity and financial interests not set forth above are non-attributable.</p>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A See Explanation in [Exhibit 2]
3.	<p>Other Authorizations. List call signs, locations, and facility identifiers of all other broadcast stations in which applicant or any party to the application has an attributable interest.</p>	<input type="checkbox"/> N/A [Exhibit 3]
4.	<p>Multiple Ownership.</p>	
	<p>a. Is the applicant or any party to the application the holder of an attributable radio joint sales agreement or an attributable radio or television time brokerage agreement in the same market as the station subject to this application?</p> <p>If "YES," radio applicants must submit as an Exhibit a copy of each such agreement for radio stations.</p>	<input type="radio"/> Yes <input checked="" type="radio"/> No [Exhibit 4]
	<p>b. Applicant certifies that the proposed facility complies with the Commission's multiple ownership rules and cross-ownership rules.</p> <p>Radio applicants only: If "Yes," submit an Exhibit providing information regarding the market, broadcast station(s), and other information necessary to demonstrate compliance with 47 C.F.R. § 73.3555(a).</p>	<input checked="" type="radio"/> Yes <input type="radio"/> No [Exhibit 5]

	All Applicants: If "No," submit as an Exhibit a detailed explanation in support of an exemption from, or waiver of, 47 C.F.R. § 73.3555.	
c.	<p>Applicant certifies that the proposed facility:</p> <p>(1) does not present an issue under the Commission's policies relating to media interests of immediate family members;</p> <p>(2) complies with the Commission's policies relating to future ownership interests; and</p> <p>(3) complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors.</p>	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 6]
d.	<p>Does the Applicant claim status as an "eligible entity," that is, an entity that qualifies as a small business under the Small Business Administration's size standards for its industry grouping (as set forth in 13 C.F.R. § 121-201), and holds:</p> <p>(1) 30 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet; or</p> <p>(2) 15 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet, provided that no other person or entity owns or controls more than 25 percent of the outstanding stock or partnership interests; or</p> <p>(3) more than 50 percent of the voting power of the corporation that will own the media outlet (if such corporation is a publicly traded company)?</p> <p>All applicants: If "Yes," submit as an Exhibit a detailed showing demonstrating proof of status as an eligible entity.</p>	<input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 7]
5.	<p>Character Issues. Applicant certifies that neither applicant nor any party to the application has or has had any interest in or connection with:</p> <p>a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or</p> <p>b. any pending broadcast application in which character issues have been raised.</p>	<input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 8]
6.	<p>Adverse Findings. Applicant certifies that, with respect to the applicant and any party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to any of the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another government unit; or discrimination.</p>	<input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 9]
7.	<p>Alien Ownership and Control. Applicant certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.</p>	<input type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 10]
8.	<p>Program Service Certification. Applicant certifies that it is cognizant of and will comply with its obligations as a commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.</p>	<input type="radio"/> Yes <input type="radio"/> No
9.	<p>Local Public Notice. Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.</p>	<input type="radio"/> Yes <input type="radio"/> No
10.	<p>Auction Authorization. If the application is being submitted to obtain a construction permit for which the applicant was the winning bidder in an auction, then the applicant certifies, pursuant to 47 C.F.R. Section 73.5005(a), that it has attached an exhibit containing the information required by 47 C.F.R. Sections 1.2107(d), 1.2110(i), 1.2112(a) and 1.2112(b), if applicable.</p> <p>An exhibit is required unless this question is inapplicable.</p>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A [Exhibit 11]
11.	<p>Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.</p>	<input checked="" type="radio"/> Yes <input type="radio"/> No
12.	<p>Equal Employment Opportunity (EEO). If the applicant proposes to employ five or more</p>	<input type="radio"/> Yes <input type="radio"/> No

	full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report on FCC Form 396-A.	<input type="radio"/> N/A
13.	Petition for Rulemaking/Counterproposal to Add New FM Channel to FM Table of Allotments. If the application is being submitted concurrently with a Petition for Rulemaking or Counterproposal to Amend the FM Table of Allotments (47 C.F.R. section 73.202) to add a new FM channel allotment, petitioner/counter-proponent certifies that, if the FM channel allotment requested is allotted, petitioner/counter-proponent will apply to participate in the auction of the channel allotment requested and specified in this application.	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing GARY R. MACOMBER	Typed or Printed Title of Person Signing ASSISTANT SECRETARY
Signature	Date 06/19/2008

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

SECTION III-D - DTV Engineering	
Complete Questions 1-5, and provide all data and information for the proposed facility, as requested in Technical Specifications, Items 1-13.	
<p>Pre-Transition Certification Checklist: An application concerning a pre-transition channel must complete questions 1(a)-(c), and 2-5. A correct answer of "Yes" to all of the questions will ensure an expeditious grant of a construction permit application to change pre-transition facilities. However, if the proposed facility is located within the Canadian or Mexican borders, coordination of the proposal under the appropriate treaties may be required prior to grant of the application. An answer of "No" will require additional evaluation of the applicable information in this form before a construction permit can be granted.</p> <p>Post-Transition Expedited Processing. An application concerning a post-transition channel must complete questions 1(a), (d)-(e), and 2-5. A station applying for a construction permit to build its post-transition channel will receive expedited processing if its application (1) does not seek to expand the noise-limited service contour in any direction beyond that established by Appendix B of the Seventh Report and Order in MB Docket No. 87-268 establishing the new DTV Table of Allotments in 47 C.F.R. § 73.622(i) ("new DTV Table Appendix B"); (2) specifies facilities that match or closely approximate those defined in the new DTV Table Appendix B facilities; and (3) is filed within 45 days of the effective date of Section 73.616 of the rules adopted in the Report and Order in the Third DTV Periodic Review proceeding, MB Docket No. 07-91.</p>	
1. The proposed DTV facility complies with 47 C.F.R. Section 73.622 in the following respects:	
(a) It will operate on the DTV channel for this station as established in 47 C.F.R. Section 73.622.	<input checked="" type="radio"/> Yes <input type="radio"/> No
(b) It will operate a pre-transition facility from a transmitting antenna located within 5.0 km (3.1 miles) of the DTV reference site for this station as established in 47 C.F.R. Section 73.622.	<input type="radio"/> Yes <input type="radio"/> No
(c) It will operate a pre-transition facility with an effective radiated power (ERP) and antenna height above average terrain (HAAT) that do not exceed the DTV reference ERP and HAAT for this station as established in 47 C.F.R. Section 73.622.	<input type="radio"/> Yes <input type="radio"/> No
(d) It will operate at post-transition facilities that do not expand the noise-limited service contour in any direction beyond that established by Appendix B of the Seventh Report and Order in MB Docket No. 87-268 establishing the new DTV Table of Allotments in 47 C.F.R. § 73.622	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A

degrees Not Applicable

c. Mechanical Beam Tilt:

degrees toward azimuth

degrees True Not Applicable

Attach as an Exhibit all data specified in 47 C.F.R. Section 73.625(c).

[Exhibit 43]

d. Polarization:

Horizontal Circular Elliptical

e. Directional Antenna Relative Field Values: Not applicable (Nondirectional)

[For a composite directional (not off-the-shelf) antenna, press the following button to fill in the relative field values subform.]

[Relative Field Values]

10e. Directional Antenna Relative Field Values

[Fill in this subform for a composite directional (not off-the-shelf) antenna, only.]

e. Directional Antenna Relative Field Values:											
Rotation (Degrees): <input type="checkbox"/> No Rotation											
Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value	Degrees	Value
0		10		20		30		40		50	
60		70		80		90		100		110	
120		130		140		150		160		170	
180		190		200		210		220		230	
240		250		260		270		280		290	
300		310		320		330		340		350	
Additional Azimuths											

Relative Field Polar Plot

If a directional antenna is proposed, the requirements of 47 C.F.R. Sections 73.625(c) must be satisfied. **Exhibit required.** [Exhibit 44]

11.	Does the proposed facility satisfy the pre-transition interference protection provisions of 47 C.F.R. Section 73.623(a) (Applicable only if Certification Checklist Items 1(a), (b), or (c) are answered "No.") and/or the post-transition interference protection provisions of 47 C.F.R. Section 73.616?	<input type="radio"/> Yes <input checked="" type="radio"/> No
	If "No," attach as an Exhibit justification therefor, including a summary of any related previously granted waivers.	[Exhibit 45]

12.	If the proposed facility will not satisfy the coverage requirement of 47 C.F.R. Section 73.625, attach as an Exhibit justification therefore. (Applicable only if Certification Checklist item 3 is answered "No.")	[Exhibit 46]
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13.	Environmental Protection Act. Submit in an Exhibit the following:	[Exhibit 47]
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If **Certification Checklist** Item 2 is answered "Yes," a brief explanation of why an Environmental Assessment is not required. Also describe in the Exhibit the steps that will be taken to limit RF radiation exposure to the public and to persons authorized access to the tower site.

By checking "Yes" to **Certification Checklist** Item 2, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.

If **Certification Checklist** Item 2 is answered "No," an Environmental Assessment as required by 47 C.F.R Section 1.1311.

PREPARERS CERTIFICATION ON SECTION III MUST BE COMPLETED AND SIGNED.

SECTION III - PREPARER'S CERTIFICATION

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name JONATHAN N. EDWARDS		Relationship to Applicant (e.g., Consulting Engineer) TECHNICAL CONSULTANT	
Signature		Date 06/19/2008	
Mailing Address DU TREIL LUNDIN & RACKLEY, INC. 201 FLETCHER AVENUE			
City SARASOTA		State or Country (if foreign address) FL	Zip Code 34237 -
Telephone Number (include area code) 9413296000		E-Mail Address (if available) JON@DLR.COM	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Exhibit 1

Description: PURPOSE STATEMENT

MAXIMIZATION APPLICATION.

Attachment 1

Exhibit 45

Description: OET-69 ANALYSIS

THE OET-69 INTERFERENCE ANALYSIS WAS BASED ON A STANDARD 2 KM CELL SIZE AND 1 KM DISTANCE INCREMENT. ALL STATIONS WERE FOUND TO RECEIVE LESS THAN 0.5% ADDITIONAL INTERFERENCE FROM THE PROPOSAL, EXCEPT FOR STATION WNYA-DT, CH. 13, PITTSFIELD, MA. AN INTERFERENCE AGREEMENT WITH WNYA-DT IS BEING NEGOTIATED AND APPLICANT EXPECTS THAT IT WILL BE ADDED AS AN AMENDMENT TO THE INSTANT APPLICATION IN THE NEAR FUTURE.

THE PROPOSAL EXCEEDS THE ERP/HAAT LIMIT PER FCC RULE SECTION 73.622(F)(7). THE PREDICTED WNYT-DT 36 DBU CONTOUR WILL ENCOMPASS AN AREA OF 34,630 SQUARE KILOMETERS. STATION WRGB-DT'S LICENSED 28 DBU CONTOUR ENCOMPASSES 34,670 SQUARE KILOMETERS. THUS, THE PROPOSED NOISE-LIMITED CONTOUR WILL COVER LESS GEOGRAPHIC AREA THAN THE LARGEST STATION IN THE MARKET (WRGB) AND IS IN COMPLIANCE WITH FCC RULE SECTION 73.622(F)(5).

Attachment 45

Attachment 46

Description
WNYT-DT COVERAGE MAP

Exhibit 47

Description: RFR COMPLIANCE STATEMENT

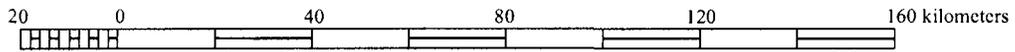
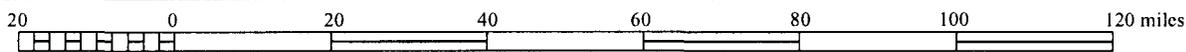
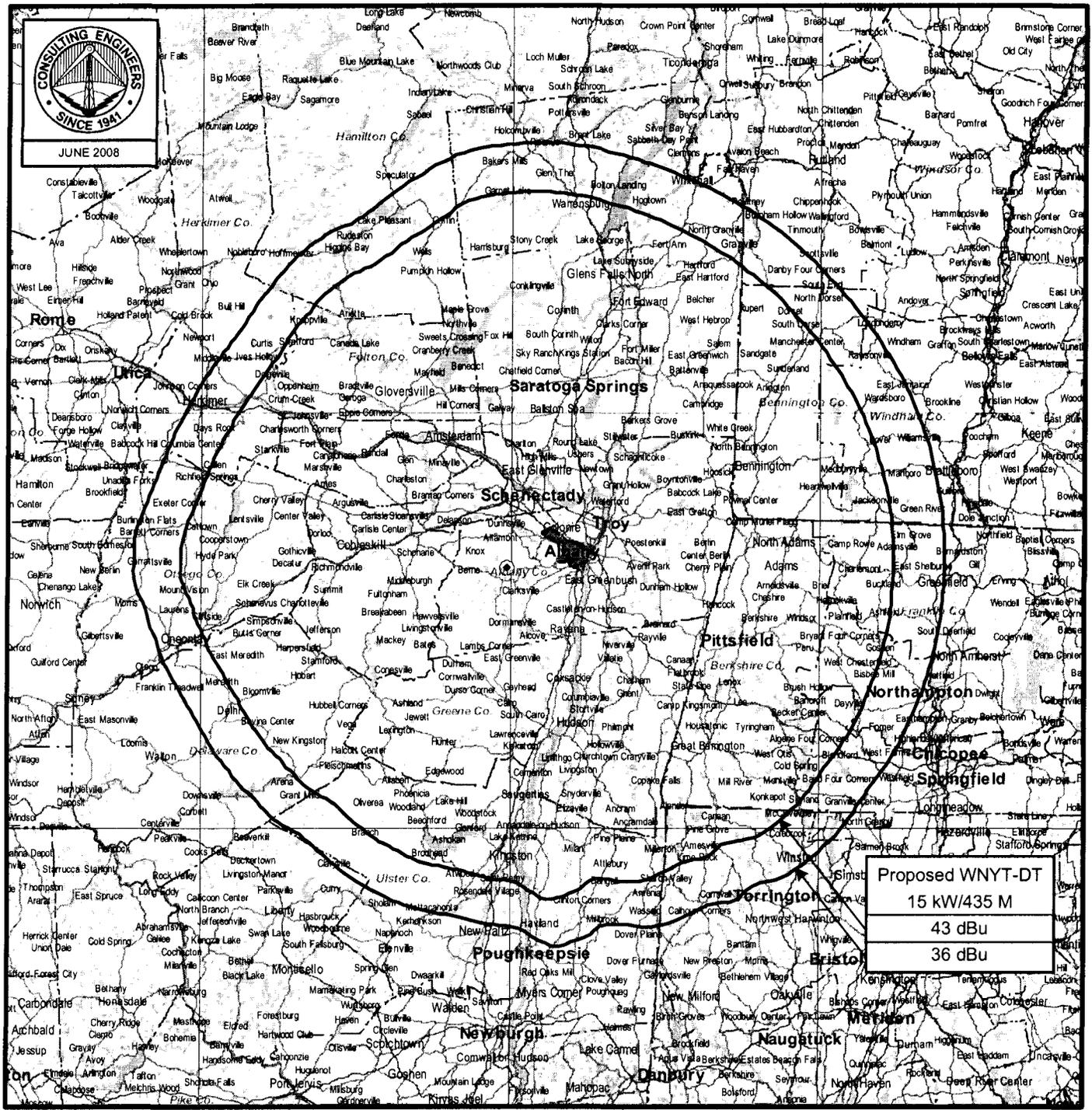
THE PROPOSED WNYT-DT FACILITIES WERE EVALUATED IN TERMS OF POTENTIAL RADIO FREQUENCY (RF) ENERGY EXPOSURE AT GROUND LEVEL TO WORKERS AND THE GENERAL PUBLIC. THE RADIATION CENTER FOR THE PROPOSED DTV ANTENNA IS LOCATED 149 METERS ABOVE GROUND LEVEL WITH A MAXIMUM ERP OF 15 KW. A CONSERVATIVE DOWNWARD RELATIVE FIELD VALUE OF 0.2 WAS ASSUMED FOR PROPOSED DIELECTRIC, MODEL THA-04-1H/4UD-1-R-T, NON-DIRECTIONAL ANTENNA. THE CALCULATED POWER DENSITY AT A POINT 2 METERS ABOVE GROUND LEVEL WILL NOT EXCEED 0.001 MW/CM2. THIS IS LESS THAN 5% OF THE FCC'S RECOMMENDED LIMIT OF 0.2 MW/CM2 FOR CHANNEL 12 FOR AN UNCONTROLLED ENVIRONMENT.

ACCESS TO THE TRANSMITTING SITE WILL BE RESTRICTED AND APPROPRIATELY MARKED WITH WARNING SIGNS. AS THIS IS A MULTI-USER SITE AN AGREEMENT BETWEEN THE STATIONS WILL CONTROL SITE ACCESS. IN THE EVENT THAT WORKERS OR OTHER AUTHORIZED PERSONNEL ENTER RESTRICTED AREAS OR CLIMB THE TOWER, APPROPRIATE MEASURES WILL BE TAKEN TO ASSURE WORKER SAFETY WITH RESPECT TO RADIO FREQUENCY RADIATION EXPOSURE. SUCH MEASURES INCLUDE REDUCING THE AVERAGE EXPOSURE BY SPREADING OUT THE WORK OVER A LONGER PERIOD OF TIME, WEARING 'ACCEPTED' RFR PROTECTIVE CLOTHING AND/OR RFR EXPOSURE MONITORS OR SCHEDULING WORK WHEN THE STATIONS ARE AT REDUCED POWER OR SHUT DOWN. THE PROPOSED WNYT-DT OPERATION APPEARS TO BE OTHERWISE CATEGORICALLY EXCLUDED FROM ENVIRONMENTAL PROCESSING.

IT IS NOTED THAT THIS STATEMENT ONLY ADDRESSES THE POTENTIAL FOR RADIOFREQUENCY ELECTROMAGNETIC FIELD EXPOSURE. ALL OTHER ASPECTS OF THE ENVIRONMENTAL PROCESSING ANALYSIS WILL BE OR ALREADY HAVE BEEN PROVIDED TO THE FCC BY THE TOWER OWNER.

Attachment 47

Description
ANTENNA ELEVATION PATTERN



PREDICTED COVERAGE CONTOURS

STATION WNYT-DT
 ALBANY, NEW YORK
 CH 12 15 kW 435 M

du Treil, Lundin & Rackley, Inc Sarasota, Florida



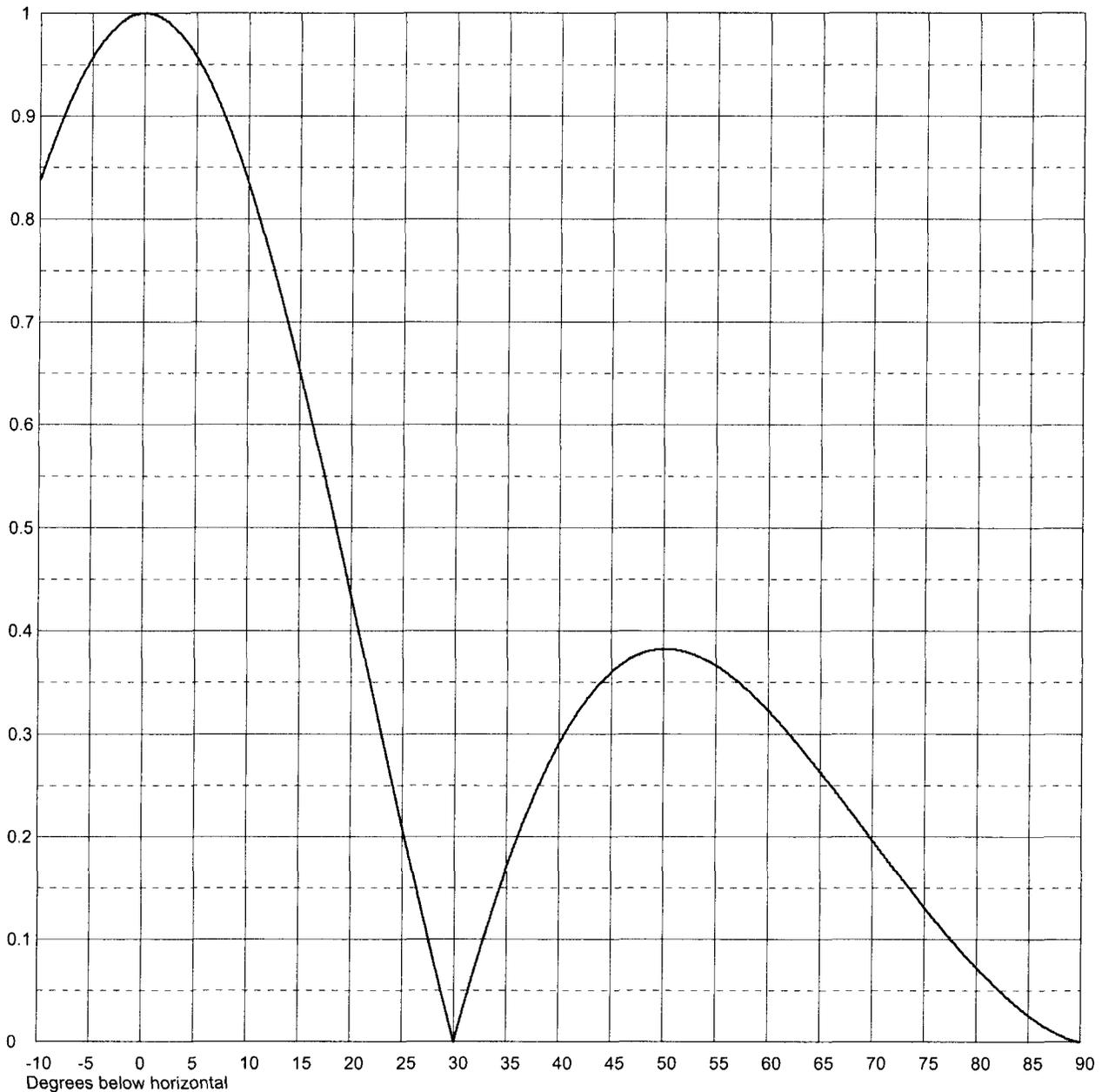
Exhibit No.

Date **21 Mar 2001**
Call Letters
Location **ALBANY-NY**
Customer
Antenna Type **THA-O4-2/8-1**

Channel **12**

ELEVATION PATTERN

RMS Gain at Main Lobe	2.1 (3.22 dB)	Beam Tilt	0.00 Degrees
RMS Gain at Horizontal	2.1 (3.22 dB)	Frequency	207.00 MHz
Calculated / Measured	Calculated	Drawing #	02H021000-90



Remarks: