

In 1999, Sainte Sepulveda, Inc. requested a high power, far-reaching digital facility that would provide it with the ability to serve the largest area possible. It was granted a Construction Permit for a maximized facility in January 2001. Sainte began operating a low power digital facility for KBVU in October 2002. In November 2004, Sainte filed its FCC Form 381, certifying that its intention was to build the facility authorized in BPCDT - 19991020ACF (its maximized facility).

Sainte is dedicated to bringing digital service to the very small market of Eureka, CA (Eureka is located in the Eureka DMA which is #194). Sainte has demonstrated this commitment by operating the digital facilities for KBVU at low power since October 2002. Sainte's intent has been to build a maximized facility, as authorized by its 1999 construction permit. However, as Sainte began preparations to build its full power station in order to meet the July 2006 deadline, a new engineering study determined that KBVU can well serve the population of Eureka; replicate its current analog coverage area and nearly all the population of the maximized facility, with a lower power facility.

The facility detailed in the instant application proposes to operate KBVU using a significantly lower power. However, as demonstrated by the attached Engineering Statement (attached as Exhibit 1), this power reduction only decreases the population served by .52%, about one-half of one percent. The lower power does result in a geographical loss of area of 11%, however, the reduction in area is primarily area over the Pacific Ocean and California's Coast Range (See Exhibit 2).

Sainte also had to consider the economic realities of the situation. Eureka is a #194 market. Eureka is located on the edge of the Pacific Ocean and a good portion of KBVU's signal falls over the ocean. Fifty percent of the loss area appears to be over water. A market this small with Eureka's terrain cannot support the higher power facility. The lower power facility proposed in this application well serves the Eureka market.

Sainte understands that it will lose protection for those portions of its original contour not served by this proposal. However, Sainte never intended to mislead the Commission or any other broadcaster about its intentions when it filed its FCC Form 381. Its decision to pursue a lower power proposal is born out of new information that demonstrates the wisdom of lowering power, reorienting the antenna and reallocating the saved expense to providing superior programming service. It was only subsequent to filing that Sainte learned that a lower power facility would provide what amounts to essentially the same service and that it was economically infeasible for Sainte to build and operate a maximized facility in the Eureka market by the July 1, 2006 deadline. Sainte respectfully requests that the Commission consider its demonstrated dedication to providing digital service, the economics of providing television service to a very small market, and the very important fact that the market is very adequately and equally served by the proposed facility. Sainte requests a reduction in power in order to build-out a quality facility that will serve its community of license.

Exhibit 1

SAINTE SEPULVEDA, INC.
BT KBVU-DT - Fac ID 58618 - Eureka, CA

ENGINEERING STATEMENT
Re: ARN 20051220AIY

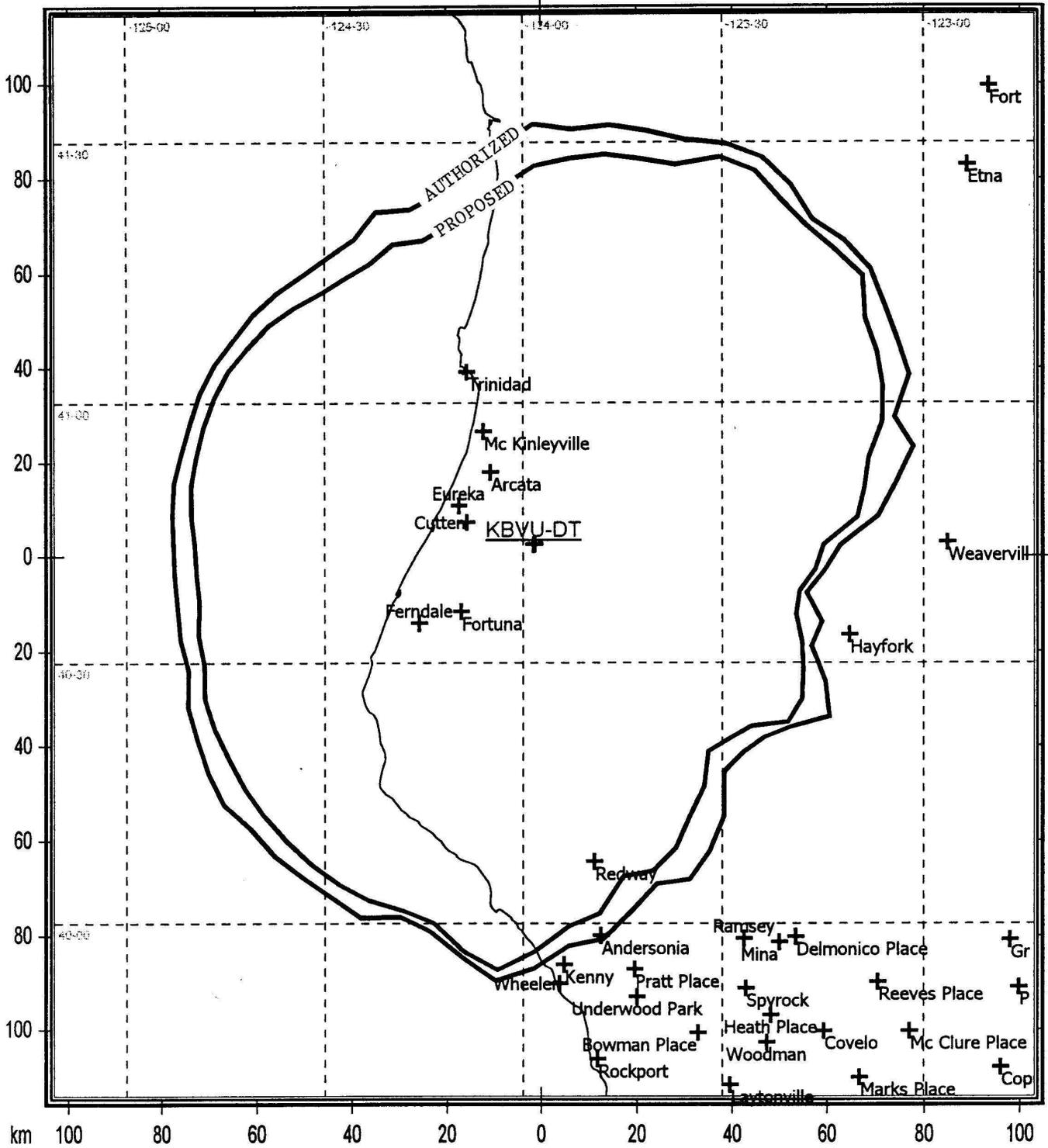
The reference application has been questioned with regard to the fact that it proposes to lower presently authorized maximum effective radiated power from 119 kW to 50 kW (please see attached contour map). The current construction permit would provide for a noise-limited service contour of 20,357 square kilometers as opposed to the 18,119 square kilometers of the pending proposal. Although an area loss of 11.0% might seem significant, it is a fact that the slight extension would provide a "service" only to areas of the Pacific Ocean and California's Coast Range which are sparsely--if at all--inhabited. In this instance, the Census 2000 population for the construction permit area is 128,859 as opposed to 128,193 for the pending proposal--a (de minimus) loss of only 0.52%.

Respectfully submitted,


Mel Freedman
Engineer for Sainte Sepulveda, Inc.

28 March 2006

Exhibit 2
KBVU-DT - EUREKA, CA - CHANNEL 28



DTV SERVICE CONTOURS AS CAPTIONED