

REQUEST FOR STA FOR POST-FEBRUARY 17, 2009 DIGITAL OPERATION

WOWK, Huntington West Virginia (analog channel 13/pre-transition digital channel 47/post-transition digital channel 13) (Fac. ID 23342) hereby respectfully requests special temporary authority (STA) to continue its current emergency authority to provide digital television service on Channel 13, the station's post-transition digital channel. Authority to provide digital television service on Channel 13 is requested through the final DTV transition deadline, currently scheduled for June 12, 2009. The authority requested herein is necessary for WOWK to continue to provide television service to viewers in the Huntington-Charleston WV DMA through the final transition date, now scheduled for June 12, 2009, in view of the fact that the **station's analog facilities and pre-transition digital facilities have been damaged and are off-the air pursuant to Emergency STA, discussed below**. WOWK is the CBS network affiliate in the Huntington-Charleston WV DMA. It is WOWK's informal understanding that two other stations in the market, WCHS and WVAH, intend to continue analog operation after February 17, 2007.

WOWK is authorized for analog operation on Channel 13, pre-transition digital operation on Channel 47, and post-transition operation on Channel 13. However, WOWK has been operating its post-transition digital facility on Channel 13 since January 29, 2009, pursuant to an Emergency STA granted on January 29, 2009 (copy attached).¹ The Emergency STA was granted after a severe ice storm damaged the WOWK Channel 13-analog and Channel 47-digital equipment.²

It is further noted that operation of Channel 13-analog was already severely impaired prior to the events which necessitated the Emergency STA granted on January 29, 2009. On January 26, 2009, WOWK notified the Commission that, as of January 15, 2009, the station's analog facility had been operating at less than 80% of authorized power, as a result of failure of the contactor in the station's analog transmitter, which was built in 1982 (copy attached). A malfunction in the contactor is causing it to introduce electrical spikes in the voltage supply of the transmitter and building, and caused a reduction in the operating performance of the transmitting tubes in the transmitter. The transmitter therefore had to be operated at a reduced power to minimize the risk of additional damage.³

When it appeared that federal legislation might delay the DTV transition date, WOWK filed a request for Legal STA on January 15, 2009, to notify the Commission of its intention to permanently terminate analog operation on February 17, 2009 (FCC File No. BLSTA-20090115ASS), and commenced the additional viewer notification procedures set forth in the *Third Periodic Review*, 23 FCC Rcd 2994 (2007). Subsequently, on February 9, 2009, WOWK filed a further notification of intended February 17, 2009

¹ A copy of the Emergency STA (along with the underlying request) is attached. As noted in the request for emergency STA, a federal state of emergency was declared in connection with the severe ice storm that damaged the WOWK equipment. A copy of a letter to President Obama from Kentucky Governor Beshear, further describing the circumstances, is attached to the request for emergency STA.

² The attached statement by Bill Galloway, Chief Engineer, West Virginia Media Holdings, LLC, describes the severe damage to the WOWK Channel 13-analog and Channel 47-digital equipment.

³ Copy attached hereto.

analog termination, in accordance with the revised procedures announced by *FCC Public Notice*, FCC 09-6, dated February 5, 2009.

By *FCC Public Notice*, FCC 09-7, February 11, 2009, the waiver for WOWK to permanently terminate analog on February 17, 2009 was set aside. However, contemporaneously herewith WOWK is submitting the Certification required for its authority to permanently terminate analog operation on February 17, 2009.

As noted above, the authority requested herein is necessary for WOWK to continue to provide television service to viewers in the Huntington-Charleston WV DMA through the final transition date, now scheduled for June 12, 2009, in view of the fact that the station's analog facilities and pre-transition digital facilities have been damaged and are off-the air. WOWK is the CBS network affiliate in the Huntington-Charleston WV DMA.

It is demonstrated in the Engineering Statement attached hereto that the digital operation of WOWK on Channel 13 requested herein will not cause impermissible interference to any authorized analog or pre-transition digital stations, and will exceed its current pre-transition digital service, in the public interest. Further, WOWK hereby reaffirms its intention to commence full, authorized post-transition operations on (or, if approved, before) the transition deadline.

Accordingly, favorable action on the instant submission is respectfully requested.