



(REFERENCE COPY - Not for submission)

## Modification of a License for Digital Class A TV Station Application

File Number: **0000124859** | Submit Date: **10/19/2020** | Call Sign: **WARZ-CD** | Facility ID: **71089** | FRN: **0001961713**  
 State: **North Carolina** | City: **SMITHFIELD-SELMA**  
 Service: **DCA** | Purpose: **Modification to License (Next Gen) 0000087619** | Status: **Superseded** | Status Date:  
**11/12/2020** | Filing Status: **InActive**

### General Information

Section	Question	Response
<b>Attachments</b>	Are attachments (other than associated schedules) being filed with this application?	Yes

### Fees, Waivers, and Exemptions

Section	Question	Response
<b>Fees</b>	Is the applicant exempt from FCC application Fees?	No
	Indicate reason for fee exemption:	
	Is the applicant exempt from FCC regulatory Fees?	No
<b>Waivers</b>	Does this filing request a waiver of the Commission's rule(s)?	No
	Total number of rule sections involved in this waiver request:	
	Are the frequencies or parameters requested in this filing covered by grandfathered privileges, previously approved by waiver, or functionally integrated with an existing station?	No

Application Type	Fee Code	Fee Amount
Modification to License (Next Gen)	MJT	\$335.00
	<b>Total</b>	<b>\$335.00</b>

**Applicant  
Information**

**Applicant Name, Type, and Contact Information**

<b>Applicant</b>	<b>Address</b>	<b>Phone</b>	<b>Email</b>	<b>Applicant Type</b>
<b>Capitol Broadcasting Company, Inc.</b>	Jennifer B. Venable 2619 Western Blvd. Raleigh, NC 27606 United States	+1 (919) 821-8933	jvenable@capitolbroadcasting.com	Corporation

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**Authorization Holder Name**

Check box if the Authorization Holder name is being updated because of the sale (or transfer of control) of the Authorization(s) to another party and for which proper Commission approval has not been received or proper notification provided.

**Contact  
Representatives  
(2)**

Contact Name	Address	Phone	Email	Contact Type
<b>Louis R duTreil , Jr .</b> <i>Technical Consultant</i> duTreil Lundin & Rackley Inc	5120 Station Way Sarasota, FL 34233- 3221 United States	+1 (941) 329- 6004	bobjr@DLR.com	Technical Representative
<b>David A. O'Connor</b> <i>Legal Counsel</i> Wilkinson Barker Knauer, LLP	David A. O'Connor 1800 M Street, NW Suite 800N Washington, DC 20036 United States	+1 (202) 383- 3429	doconnor@wbklaw. com	Legal Representative

## Alien Ownership

Question	Response
1) Is the applicant a foreign government or the representative of any foreign government as specified in Section 310(a) of the Communications Act?	No
2) Is the applicant an alien or the representative of an alien? (Section 310(b)(1))	No
3) Is the applicant a corporation, or non-corporate entity, that is organized under the laws of any foreign government? (Section 310(b)(2))	No
4) Is the applicant an entity of which more than one-fifth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any entity organized under the laws of a foreign country? (Section 310(b)(3))	No
5) Is the applicant directly or indirectly controlled by any other entity of which more than one-fourth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any entity organized under the laws of a foreign country? (Section 310(b)(4))	No
6) Has the applicant received a declaratory ruling(s) under Section 310(b)(4) of the Communications Act?	No
6a) Enter the citation of the applicable declaratory ruling by DA/FCC number, FCC Record citation, release date, or any other identifying information.	
7) Has there been any change in the applicant's foreign ownership since issuance of the declaratory ruling(s) cited in response to Question 6?	
7a) Enter the File or Docket Number of the Petition for Declaratory Ruling that the applicant has filed for its foreign ownership in connection with this application pursuant to Section 310(b)(4) of the Communications Act. It is not necessary to file a request for a foreign ownership declaratory ruling if the applicant attaches a showing that the requested authorization(s) is exempt from the provisions of Section 310(b)(4).	
8) Does the applicant certify that it is in compliance with the terms and conditions of the foreign ownership declaratory ruling(s) cited in response to Question 6?	
9) In connection with this application, is the applicant filing a foreign ownership Petition for Declaratory Ruling pursuant to Section 310(b)(4) of the Communications Act?	No

## Basic Qualifying Questions

Section	Question	Response
<b>Revoked Application</b>	Has the Applicant or any party to this application had any FCC station Authorization revoked or had any application for an initial, modification or renewal of FCC station Authorization denied by the Commission?	No
<b>State or Federal Convictions</b>	Has the Applicant or any party to this application, or any party directly or indirectly controlling the Applicant, ever been convicted of a felony by any state or federal court?	No

**Next Gen  
Information**

Question	Response
Does this application seek a waiver of the Commission's local simulcasting requirement in 47 CFR Section 73.6029 (b)?	No

Applicant station's Current ATSC 1.0 simulcast host:

Facility ID	Call Sign	Community of License	Channel	Designated Market Area (DMA)
8688	WRAL-TV	RALEIGH , NC	17	RALEIGH-DURHAM (FAYETVLL)

Applicant station's ATSC 1.0 simulcast host:

Facility ID	Call Sign	Community of License	Channel	Designated Market Area (DMA)
8688	WRAL-TV	RALEIGH , NC	17	RALEIGH-DURHAM (FAYETVLL)

Section	Question	Response
<b>Coverage Requirements for ATSC 1.0 Simulcast Signal</b>	Will the applicant station comply with the ATSC 1.0 simulcasting coverage requirements set forth in 47 CFR Section 73.6029(c)?	Yes
<b>Qualification for Expedited Processing</b>	Does this application qualify for expedited processing under 47 CFR Section 73.6029(f)(5)?	Yes
<b>Simulcasting Requirement and Agreement</b>	The applicant has authority from its ATSC 1.0 simulcast host station to file this application.	Yes
	The applicant has entered into a local simulcasting agreement that complies with the requirements of 47 CFR Section 73.6029(e).	Yes
	Following commencement of ATSC 1.0 simulcast service, the applicant station will comply with the local simulcasting programming ("substantially similar") requirements under 47 CFR Section 73.6029(b)(1-2).	Yes
<b>Commencement of Operations Date</b>	Provide the date the applicant intends/estimates it will commence ATSC 3.0 service.	11/20/2020
	Provide the date the applicant intends/estimates it will commence ATSC 1.0 simulcast service.	11/20/2020

**Channel and Facility Information**

Section	Question	Response
<b>Proposed Community of License</b>	Facility ID	71089
	State	North Carolina
	City	SMITHFIELD-SELMA
	DCA Channel	23
	Designated Market Area	Raleigh-Durham (Fayetteville)

**Antenna Location Data**

Section	Question	Response
<b>Antenna Structure Registration</b>	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1205989
<b>Coordinates (NAD83)</b>	Latitude	35° 31' 45.6" N+
	Longitude	078° 18' 07.0" W-
	Structure Type	TOWER-A free standing or guyed struct
	Overall Structure Height	121.9 meters
	Support Structure Height	121.0 meters
	Ground Elevation (AMSL)	46.9 meters
<b>Antenna Data</b>	Height of Radiation Center Above Ground Level	117.0 meters
	Height of Radiation Center Above Mean Sea Level	163.9 meters
	Effective Radiated Power	15 kW

**Antenna  
Technical Data**

Section	Question	Response
<b>Antenna Type</b>	Antenna Type	Directional Custom
	Do you have an Antenna ID?	No
	Antenna ID	1007471
<b>Antenna Manufacturer and Model</b>	Manufacturer:	PSI
	Model	PSILPD16OI-23
	Rotation	320 degrees
	Electrical Beam Tilt	0.5
	Mechanical Beam Tilt	Not Applicable
	toward azimuth	
	Polarization	Horizontal
<b>Elevation Radiation Pattern</b>	Does the proposed antenna propose elevation radiation patterns that vary with azimuth for reasons other than the use of mechanical beam tilt?	No
	Uploaded file for elevation antenna (or radiation) pattern data	
	Out-of-Channel Emission Mask:	Full Service

**Directional Antenna Relative Field Values (Pre-rotated Pattern)**

Degree	Value	Degree	Value	Degree	Value	Degree	Value
0	1	90	0.66	180	0.67	270	0.66
10	1	100	0.63	190	0.67	280	0.71
20	0.98	110	0.61	200	0.66	290	0.76
30	0.95	120	0.6	210	0.64	300	0.82
40	0.91	130	0.6	220	0.62	310	0.87
50	0.87	140	0.62	230	0.6	320	0.91
60	0.82	150	0.64	240	0.6	330	0.95
70	0.76	160	0.66	250	0.61	340	0.98
80	0.71	170	0.67	260	0.63	350	1

**Additional Azimuths**

Degree	V <sub>A</sub>
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**Parties to the  
Application (0)**

Information not provided.



**Attributable Interest**

Section	Question	Response
<b>Equity and Financial Interests</b>	Applicant certifies that equity and financial interests not set forth by the applicant parties are non-attributable.	Yes
<b>Other Authorizations</b>	Does the applicant or any party to the application have an attributable interest in any other broadcast station(s).	N/A

**Next Gen  
Certifications**

Section	Question	Response
<b>Commencement of Service Certification</b>	Certify that the applicant understands that it is not permitted to commence ATSC 3.0 service or ATSC 1.0 simulcast service (if applicable) until the instant application is granted and all required consumer education/MVPD notification requirements are complete. Upon grant of the instant application, the applicant has 180 days to commence all services authorized under the applicant station's modified license.	Yes
<b>Consumer Education and MVPD Notice</b>	Certify that the applicant will comply with the consumer education requirements pursuant to 47 CFR Section 73.6029 (g) prior to commencing ATSC 3.0 service or ATSC 1.0 simulcast service (as applicable).	Yes
	Certify that the applicant will comply with the MVPD notice requirements pursuant to 47 CFR Section 73.6029(h) prior to commencing ATSC 3.0 service or ATSC 1.0 simulcast service (if applicable).	Yes
<b>General Certification</b>	Certify that the applicant will comply with all FCC technical and programming rules that apply to the applicant station's ATSC 3.0 service and its ATSC 1.0 simulcast service (if applicable).	Yes

**License  
Certifications**

Section	Question	Response
Constructed Facility	The facility constructed as authorized in the underlying construction permit.	Yes
Special Operating Conditions	The facility was constructed in compliance with all special operating conditions, terms, and obligations described in the construction permit. <b>An exhibit may be required.</b> Review the underlying construction permit.	Yes

**Legal  
Certifications**

Section	Question	Response
<b>Obligations</b>	Licensee/Permittee certifies that all terms, conditions, and obligations set forth in the underlying construction permit have been fully met.	Yes
	Licensee/Permittee certifies that, apart from changes already reported, no cause or circumstance has arisen since the grant of the underlying construction permit which would result in any statement or representation contained in the construction permit application to be now incorrect.	Yes
<b>Character Issues</b>	Applicant certifies that neither applicant nor any party to the application has or had any interest in, or connection with: <ul style="list-style-type: none"> <li>(a) any broadcast application in any proceeding where character issues were left in unresolved or were resolved adversely against the applicant or party to the application; or</li> <li>(b) any pending broadcast application in which character issues have been raised.</li> </ul>	Yes
<b>Adverse Findings</b>	Has the Applicant or any party to this application had an adverse finding or an adverse final action taken by any court or administrative body in a civil or criminal proceeding brought under any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?	No
<b>Statement of Eligibility</b>	Licensee certifies that it has filed a statement of eligibility on or before January 28, 2000, which has been found to be acceptable by the Commission.	Yes
<b>Continued Eligibility</b>	Licensee certifies that its station does, and will continue to, broadcast: (a) a minimum of 18 hours per day; and (b) an average of at least 3 hours per week of programming each quarter produced within the market area served by the station, or the market area served by a group of commonly controlled low-power or Class A stations that carry common local programming produced within the market area served by such groups.	Yes
<b>Main Studio</b>	Licensee certifies that it has constructed and maintains a main studio at a location in compliance with the requirements of 47 C.F.R. Section 3.1125.	Yes
<b>Public Inspection File</b>	Licensee certifies that it maintains for its station a public inspection file that includes the documentation required by 47 C.F.R. Section 73.3526.	Yes

**Certification**

Section	Question	Response
<p><b>General Certification Statements</b></p>	<p>The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).</p>	
	<p>The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR §1.2002(b), for the definition of "party to the application" as used in this certification §1.2002 (c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.</p>	
<p><b>Authorized Party to Sign</b></p>	<p><b>FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID</b></p> <p>Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application.</p> <p>If a "shared" facility, you certify that all "sharees" have agreed to the filing of this application and the changes that are proposed within.</p> <p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND /OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, §503).</p>	
	<p>I certify that this application includes all required and relevant attachments.</p>	<p>Yes</p>
	<p>I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.</p>	<p><b>Jennifer B. Venable</b> <i>Vice President</i></p> <p>10/19/2020</p>

**Attachments**

<b>File Name</b>	<b>Uploaded By</b>	<b>Attachment Type</b>	<b>Description</b>
<a href="#"><u>WARZ ATSC 3.0 hosting agreement.pdf</u></a>	Applicant	All Purpose	ATSC 3.0 hosting agreement
<a href="#"><u>WARZ_CD_ATSC_3p0_Statement.pdf</u></a>	Applicant	Next Gen Information	Technical Statement
<a href="#"><u>WARZ-CD consent letter.pdf</u></a>	Applicant	All Purpose	Section 73.3517 consent letter