Approved by OMB (Office of Management and Budget) 3060-0027
September 2014

Federal Communications Commission

(REFERENCE COPY - Not for submission)

Modification of a DTV Station Construction Permit Application

File Number: **0000034431** | Submit Date: **10/30/2017** | Call Sign: **WLIW** | Facility ID: **38336** | FRN: **0018265660** | State: **New York** | City: **GARDEN CITY**

Service: **DTV** | Purpose: **Minor Modification 0000025351** | Status: **Granted** | Status Date: **01/29/2018** | Expiration Date: **08/02/2019** | Filing Status: **InActive**

General Information

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

Fees, Waivers, and Exemptions

Section	Question	Response
Waivers	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

Applicant Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
WNET Doing Business As: WNET	Robert A. Feinberg 825 EIGHTH AVENUE ATTN: GENERAL COUNSEL NEW YORK, NY 10019 United States	+1 (212) 560-6981	FEINBERG@WNET.ORG	Not-for-Profit

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
Sally A Buckman *Attorney* LERMAN SENTER PLLC	Sally A. Buckman 2000 L Street, NW Suite 400 Washington, DC 20036 United States	+1 (202) 429-8970	sbuckman@lermansenter.com	Legal Representative
Joseph M. Davis , P.E. . *Consulting Engineer* Chesapeake RF Consultants, LLC	207 Old Dominion Road Yorktown, VA 23692 United States	+1 (703) 650-9600	Joseph.Davis@RF-consultants.com	Technical 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))	
3) Is the applicant a corporation, or non-corporate entity, that is organized under the laws of any foreign government? (Section 310(b)(2))	
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))	
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))	
6) Has the applicant received a declaratory ruling(s) under Section 310(b)(4) of the Communications Act?	
7) 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?	

Basic Qualifying Questions

Section	Question	Response
Revoked Application	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
State or Federal Convictions	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

Channel and Facility Information

Section	Question	Response
Proposed Community of License	Facility ID	38336
	State	New York
	City	GARDEN CITY
	DTV Channel	32
	Designated Market Area	NEW YORK
Facility Type	Facility Type	Noncommercial Educational
	Station Type	Main
Zone	Zone	1

Antenna Location Data

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1263701
Coordinates (NAD83)	Latitude	40° 42' 46.8" N+
	Longitude	074° 00' 47.3" W-
	Structure Type	BTWR-Building with TOWER /ANTENNA on top
	Overall Structure Height	546.2 meters
	Support Structure Height	406.8 meters
	Ground Elevation (AMSL)	4.3 meters
Antenna Data	Height of Radiation Center Above Ground Level	526.1 meters
	Height of Radiation Center Above Average Terrain	520.0 meters
	Height of Radiation Center Above Mean Sea Level	530.4 meters
	Effective Radiated Power	71 kW

Antenna Technical Data

Section	Question	Response
Antenna Type	Antenna Type	Non-Directional
	Do you have an Antenna ID?	
	Antenna ID	1001236
Antenna Manufacturer and Model	Manufacturer:	RFS
	Model	PEP40E
	Rotation	
	Electrical Beam Tilt	1
	Mechanical Beam Tilt	Not Applicable
	toward azimuth	
	Polarization	Elliptical
DTV and DTS: Elevation Pattern	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	

Parties to the Application (42)

Party Name	Address	Phone	Email	Positional Interest
Edgar Wachenheim , III . WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Officer **Citizenship:** United States **Percentage of Votes:** 100% **Percentage of Total Assets:** 100%
Graves Tompkins WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
James Stern WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Laura Ross WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Marjorie Harris WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%

Carole Wacey WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Officer **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Caroline Croen WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Officer **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Paula Zahn WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Diana Vagelos WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Daniel Levine WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%

Elise Jaffe WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Katherine Nouri Hughes WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Cecilia Healy Herbert WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Jeffrey Halis WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Charlene Shapiro WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Officer **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%

Stephen Segalller WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Officer **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Neal Shapiro WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Officer **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Robert Feinberg WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Officer **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Loren Kittilsen WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Officer **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
D. Ronald Daniel WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%

John Servidio WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Officer **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Grace Lyu Volckhausen WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Jane Stoddard Williams WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Josh Weston WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Rosalind Walter WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%

Leonard Tow WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
A.J.C. Smith WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Alejandro Santo Domingo WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Cheryl Milstein WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Officer **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Morris Offit WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%

John Levin WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Mark Kaplan WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Edward Grebow WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Lisa Caputo WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
John Arnhold WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%

Charlotte Nichoson Ackert WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Officer **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
James Tisch WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Grazia Svokos WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Paul Tanico WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
John Greed WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%

Ellen Hives WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%
Tamara Harris Robinson WNET	825 Eighth Avenue New York, NY 10019 United States	+1 (212) 560-6981	feinberg@wnet.org	**Positional Interest:** Trustee **Citizenship:** United States **Percentage of Votes:** 0% **Percentage of Total Assets:** 0%

Attributable Interest

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

Construction Permit Certifications

Section	Question	Response
Post-Incentive Auction Expedited Processing	It will operate on the DTV channel for this station as established in the post-incentive auction channel reassignment public notice.	Yes
	It will operate post-incentive auction facilities that do not expand the noise-limited service contour in any direction beyond that established by the post-incentive auction channel reassignment public notice.	No
	It will operate post-incentive auction facilities that match or reduce by no more than five percent with respect to predicted population from those defined in the post-incentive auction channel reassignment public notice.	Yes
	The antenna structure to be used by this facility has been registered by the Commission and will not require re-registration to support the proposed antenna, OR the FAA has previously determined that the proposed structure will not adversely affect safety in air navigation and this structure qualifies for later registration under the Commission's phased registration plan, OR the proposed installation on this structure does not require notification to the FAA pursuant to 47 C.F.R. Section 17.7.	Yes
Environmental Effect	Would a Commission grant of Authorization for this location be an action which may have a significant environmental effect? (See 47 C.F.R. Section 1.1306)	No
Broadcast Facility	The proposed facility complies with the applicable engineering standards and assignment requirements of 47 C. F.R. Sections 73.616, 73.622(i), 73.623(e), 73.625, 73.1030, and 73.1125.	Yes

Legal Certifications

Section	Question	Response
Eligibility	The applicant certifies that it is a:	Nonprofit educational organization, other than described in a. or b.
	The applicant certifies that the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural, and civic segments of the principal community to be served.	Yes
	The applicant certifies that the Commission has previously granted a broadcast application identified here by file number that found this applicant qualified as a noncommercial educational entity with a qualifying educational program, and that the applicant will use the proposed station to advance a program similar to that the Commission has found qualifying in applicant's previous application.	Yes
	FCC File Number	20150129
	The applicant certifies that its governing documents (e.g., articles of incorporation, by-laws, charter, enabling statute, and/or other pertinent organizational document) permit the applicant to advance an educational program and that there is no provision in any of those documents that would restrict the applicant from advancing an educational program or complying with any Commission rule, policy, or provision of the Communications Act of 1934, as amended.	Yes
Character Issues	Applicant certifies that neither applicant nor any party to the application has or had any interest in, or connection with: (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 (b) any pending broadcast application in which character issues have been raised.	Yes
Adverse Findings	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
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.	Yes
Local Public Notice	Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.	Yes
Equal Employment Opportunity (EEO)	If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report.	N/A
Holding Period	Applicant certifies that this application does not propose a modification to an authorization that was awarded on the basis of a preference for fair distribution of service pursuant to 47 U.S.C. Section 307(b).	Yes

	Applicant certifies that the proposed modification will not downgrade service to the area on which the Section 307(b) preference was based.	
	Applicant certifies that although it proposes to downgrade service to the area on which the Section 307(b) preference was based, applicant has provided full service to that area for a period of four years of on-air operations.	
	Applicant certifies that this application does not propose a modification to an authorized station that received a credit for superior technical parameters under the point system selection method in 47 C.F.R. Section 73.7003.	Yes
	Applicant certifies that the population and area within the proposed service contour (60 dBu (FM) or Noise-Limited (TV)) are greater than or equivalent to those authorized.	

Certification

Section	Question	Response
General Certification Statements	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.).	
	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.	
Authorized Party to Sign	**FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID** 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. 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).	
	I certify that this application includes all required and relevant attachments.	Yes
	I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.	**Robert A Feinberg** *Vice President, Secretary and General Counsel* 10/30/2017

Attachments

File Name	Uploaded By	Attachment Type	Description
10.27.17 other interests.pdf	Applicant	Attributable Interest	Other Interests
WLIW reassignment expansion application ENG 10-25-2017.pdf	Applicant	All Purpose	WLIW engineering exhibits