Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC

In the Matter of	)	
	)	
Amendment of Parts 73 and 74 of the	)	
Commission's Rules to Establish Rules for	)	MB-Docket No. 03-185
Digital Low Power Television, Television Translator, and	)	
Television Booster Stations and to Amend Rules	)	
for Digital Class A Television Stations	)	

STATEMENT IN SUPPORT OF CBA'S COMMENTS TO ESTABLISH A NEW DIGITAL TV TRANSLATOR SERVICE

TV-61 SAN DIEGO, INC. ("TV-61"), by its attorneys, hereby files its Statement supporting the Comments of the Community Broadcasters Association ("CBA") urging the adoption of certain new rules to permit digital operation of LPTV translators. In support thereof, the following is shown:

1. TV-61 is currently the licensee of K61GH, National City, California and has been awarded a construction permit to operate a new LPTV station on Channel 9 in San Diego, California. It is anticipated that operation on Channel 9 will begin within the next month.

2. As a minority owned LPTV station, K61GH provides the diverse communities of San Diego County with a wide variety of multicultural commercial and educational programming of interest to the Hispanic and Asian residents of its service area. Importantly, TV-61 is vitally concerned that LPTV translators in America continue to flourish in a conducive regulatory environment, and that such stations, especially in major metropolitan areas, continue to provide free over the air programming to such areas in a digital mode. It is for this reason that TV-61 supports CBA's comments herein.

3. More specifically, on August 29, 2003 the Commission issued a Notice of Proposed Rule Making ("Notice") seeking to bring digital LPTV service to discrete geographic communities in urban areas, thus taking another important step toward the transition to a nationwide DTV service. In its Notice, the Commission has tentatively concluded that digital LPTV stations should be technically capable of retransmitting the complete signals of DTV broadcast stations for reception by the general public. Furthermore, the Commission is mindful of the challenges presented by limited spectrum availability and the limited budgets of many LPTV stations such as K61GH. Accordingly, the agency seeks comments on various measures to facilitate the availability and permitted use of TV channels for digital operations particularly with respect to the transition of existing analog service.

4. Recognizing the FCC's valid concerns, CBA has urged the FCC to hasten the authorization of digital capability for LPTV translators, while not upsetting the current relationship between existing TV translators and LPTV stations. In this connection, CBA believes that the rapid inauguration of a new digital LPTV translator service will help ensure the continued delivery of free broadcast services to urban areas such as San Diego which is served by K61GH. CBA's proposed rules and other procedural proposals go a long way towards making this objective a reality. In other words, there is no justifiable public interest reason to deprive citizens of urban areas the benefits of free digital TV reception via LPTV translators. In fact, the Commission's Notice expressly recognizes that many LPTV stations such as K61GH provide "niche" programming, frequently locally produced, to members of specific ethnic, racial or special interest communities in urban areas.

5. In sum, we believe that CBA has presented cogent and compelling reasons for prompt adoption of certain rules and regulations by the FCC to expedite over-the-air digital LPTV

translator reception in America's major and other markets. Accordingly, CBA's Comments ought to be promptly adopted by the FCC.

Respectfully submitted,
TV- 61 SAN DIEGO, INC.

By: Howard J. Braun, Esq.
Its Attorneys

KATTEN MUCHIN ZAVIS ROSENMAN
1025 Thomas Jefferson Street, N.W.
East Lobby, Suite 700
Washington, DC 20007-5201
Tel: 202-625-3684; Fax: 202-298-7570
e-mail: howard.braun@kmzr.com

November 24, 2003