

Dear FCC:

Comments of Engle Broadcasting

Engle Broadcasting operates WPSJ-LP, a Class A Station. Engle respectfully submits these comments in this Proposed Rulemaking.

Engle supports the comments of the Community Broadcasters Association. It is imperative that the Commission allow a smooth transition for LPTV and Class A stations into digital television.

There are several points that Engle Broadcasting would like to emphasize in the Proposed Rulemaking.

The digital construction period should be three years on initial filing. Stations with existing analog construction permits should get an additional two years construction period for a digital station. The cost for digital conversion is borne much heavier on LPTV and Class A stations and additional time is needed to acquire technology.

Although we agree with the vast majority of the Proposed Rulemaking, we disagree with the Commission proposal that new Class A digital and LPTV digital stations be required to pay 5% of yearly gross revenues to the Commission. The LPTV industry is at an economic and competitive disadvantage now, in the past and in the foreseeable future. Unless and until the LPTV industry enjoys broad must carry rights that will finally put the industry on an equal and competitive footing with fellow broadcasters, this proposal unfairly burdens all LPTV stations no matter what size or market. LPTV stations which are not carried of cable carriage must pay the cable companies for the same cable carriage that their competitors enjoy for free. In our experience, having to pay the cable operator to carry our programming, takes a significant portion of our gross revenues. Therefore the Commission should not adopt such a proposal until well after the LPTV industry has enjoyed must carry for at least five to ten years.

Regarding the Petition for Rulemaking by the Association of Public Television Stations, the Public Broadcasting Service and the Corporation for Public Broadcasting (referred to jointly as the "LPTV Petitioners"); there are several areas of their Proposed Rulemaking that unfairly advantage the LPTV Petitioners. Several areas of their Petition ask for special consideration: asking the

Commission to file without waiting for a filing window; asking to extend the service of an existing transmitter beyond the predicted DTV service area and accepting such applications at any time; and special conditions in which the Y could operate a translator both as a digital and an analog entity.=A0 We hope the Commission treats the "LPTV Petitioners" as they would any other competitive entity operating within the boundaries of the United States, without special consideration.=A0

Engle respectfully submits these comments and requests the Commission protect and preserve the LPTV and Class A service.

Paul V. Engle
General Manager
WPSJ-LP
Engle Broadcasting
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