

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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)

To: The Commission

SUPPLEMENT TO COMMENTS OF THE
COMMUNITY BROADCASTERS ASSOCIATION

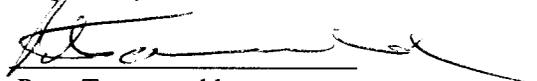
Submitted herewith is the required Summary and Table of Contents to accompany the Comments of The Community Broadcasters Association ("CBA") filed in this proceeding on November 25, 2003.

To the extent required, leave is requested to file this material one day after the deadline for initial comments. No harm is caused by the delay, because it a month before Reply Comments are due, and CBA is not modifying the substance of its Initial Comments in any way.

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Respectfully submitted



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SUMMARY

The Commission's actions in this proceeding should be guided by three basic principles:

(a) Class A and LPTV stations should make the transition to digital operation in an orderly and efficient manner; (b) incentives should be provided to encourage the construction of digital facilities; and (c) the transition should impose as few economic burdens as possible, because Class A and LPTV stations have fewer economic resources than most full power stations.

Class A and LPTV stations have the greatest representation of any mass media service in terms of local ownership, local programming, niche programming, small business ownership, and minority and female ownership and management. These characteristics are important to preserve and to encourage a smooth transition to digital operation.

Class A/LPTV stations should be permitted to apply for a second channel for digital operation. Flash-cut could be suicidal in an environment where most stations do not have cable or satellite carriage and thus will not benefit from any format conversion those systems provide.

Interference determinations should be as simple as possible, using contour overlap where feasible but allowing the use of the Longley-Rice method without the need for a rule waiver.

An initial filing window should be restricted to existing stations and be nationwide in scope. A short freeze should both precede and follow the window, to stabilize the database. After that, a rolling window, first-come, first-served system would be desirable. Applications for digital channels for existing stations should be given priority over establishing new stations.

Primary status for Class A stations is required by law and must be preserved, including on their second digital channel where interference standards are met; but stations unable to find a second channel that meets Class A standards should be permitted to occupy digital channels on a secondary basis until they revert to one primary channel at the end of the transition. The

Commission should exercise its statutory authority to provide more opportunities for LPTV stations to secure Class A status.

Applications for digital channels should be treated as minor changes only where there is overlap between existing and proposed protected contours. No new requirement for principal city grade service should be introduced, as it would involve unnecessary new complexity that may constrain the ability of stations to find digital channels.

Mutual exclusivity should be avoided by making Channel 52-69 available, allowing each analog station to file for only one digital channel, mandating the use of offset, providing an ample opportunity for flexible settlements, and dismissing mutually exclusive applications that do not settle.

The permitted construction period should be three years for a second channel, with no limit for on-channel conversion. Stations that do not have a second channel should be permitted to make their own business decision as to when analog services should be terminated, particularly when they occupy spectrum on a secondary basis. On-channel conversion should be permitted at will, as a matter of right, with just notice to the Commission when an appropriate power reduction is implemented. The power limit for high-band VHF channels should be re-examined.

There should be no constraints on the type of service provided by Class A/LPTV stations on their digital channels except to the extent required by law. This kind of flexibility is necessary to encourage investment and early adoption of digital technology. Cable systems should also be permitted to carry Class A/LPTV stations on any tier to which the system and station may privately agree.