

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Amendment of Parts 73 and 74 of the
Commission's Rules to Establish Rules for
Digital Low Power Television, Television
Translator, and Television Booster Stations and
to Amend Rules for Digital Class A Television
Stations

MB Docket No. 03-185

**JOINT REPLY COMMENTS OF CORRIDOR TELEVISION, LLP AND
RAPID BROADCASTING COMPANY**

Corridor Television, LLP and Rapid Broadcasting Company (collectively, the "Stations") hereby submit these Reply Comments in the captioned proceeding. As hinted at in the Comments filed by The Association for Maximum Service Television, Inc. and The National Association of Broadcasters ("NAB Comments"), as well as the Comments of Paxson Communications Corporation ("Paxson"), the proposal to open a digital television ("DTV") filing window for low power television ("LPTV"), translator and Class A licensees only is ill-conceived or, at best, premature, when there remain full power stations that do not have a paired DTV allotment.

The NAB Comments argue that the Commission's proposal to create new DTV channels for LPTV, translator and Class A licensees only "would impede the ability of full service stations to move to purely digital operations by inhibiting the repacking of core broadcast spectrum and causing interference to the digital service provided by full power broadcasters." NAB Comments at 3. If the Commission's proposal would impede the ability of full power stations to

convert to digital operation on the paired channels they have already been awarded, imagine how it would impede the ability of full power broadcasters to convert to digital where those full power broadcasters do not even have a paired channel! The commenting Stations here are in just such a position. As the Stations and NAB have noted, the Commission has alleged that “[t]he provision of DTV broadcast service by full-service broadcasters remains our top priority...” Notice of Proposed Rulemaking (“NPRM”) at ¶ 131. If that is truly the case, the Commission must give the Stations, and other similarly situated full-service stations, the opportunity to obtain paired channels *prior to* giving LPTV licensees that opportunity.

Like the commenting Stations here, Paxson is the licensee of six full-service stations that do not yet have paired DTV allotments. Paxson at 3. It too is incredulous that the Commission “is even considering the allocation of additional broadcast spectrum at this stage in the transition, when the Commission has yet to accommodate existing full-power broadcasters.” *Id.* While we laud the effectiveness of those who have lobbied the Commission to issue this NPRM, the Commission must not lose sight of the priority that rightfully belongs to full-service stations since they are the ones who are both required and committed to serve the public interest. Any proposal which would favor low power licensees and even translators, which originate no programming, over full-service stations, is indeed misguided. As Paxson states, it “risks putting the low-power DTV cart before the full-power DTV horse.” *Id.*

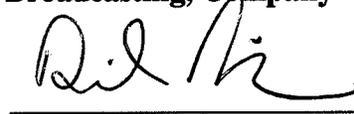
To reiterate the initial Comments of Stations, this proposal not only disfavors full-service licensees that have no paired channel, but it ignores the Commission’s stated goal of “full accommodation,” as well as its heretofore empty promise to give “particular consideration” to those licensees who applied prior to October 24, 1991, but whose construction permits were issued after the April 3, 1997 cut-off date. As the Stations noted in their initial Comments, there are a variety of ways to accommodate full-service stations that have no paired allotment. If no

full-power allotment is available, these licensees should at least be given the same opportunity to apply for paired low power stations, as is being proposed for LPTV, Class A and translator licensees. A paired low power channel, while not ideal, would give full-service stations at least some flexibility during the transition to continue serving viewers who have both digital and analog receivers. It should be apparent to the Commission that full-service licensees deserve not only this much, but should have the first crack at obtaining such channels. There is simply no justification in law, precedent, all of the Commission's pronouncements on DTV, the public interest or common sense for giving low power licensees an opportunity for paired channels that has not been made available to full-service licensees.

Respectfully submitted,

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