

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
) MB Docket No. 03-15
Second Periodic Review of the)
Commission's Rules and Policies)
Affecting the Conversion)
To Digital Television)

To: The Commission

**EX PARTE FILING IN SUPPORT OF
MSTV'S PROPOSAL FOR THE DTV CHANNEL ELECTION AND REPACKING
PROCESS**

LIN Television Corporation ("LIN") submits this *ex parte* filing in support of the DTV channel election and repacking process proposed by the Association for Maximum Service Television ("MSTV") in its submission dated May 6, 2004. LIN's interest in this proceeding derives from the fact that it owns or operates 19 stations, 6 full-power satellites, 21 Class A low power stations, and 7 low power stations. In addition, LIN has local marketing agreements with two more stations and a substantial investment interest in two other stations.

The digital transition predictably presents different issues and challenges for each of our stations. For example, four of LIN's stations are in New Haven, Connecticut and Providence, Rhode Island, the heart of the congested Northeast corridor and facing therefore some of the greatest risks of interference and service loss if the channel election process is not done in a fair and equitable manner. A number of LIN's other stations are constrained by Canadian coordination and interference issues, including the stations in New Haven and Providence as well as those in Buffalo, New York, Grand Rapids and Battle Creek, Michigan, Springfield, Massachusetts and Fort Wayne, Indiana. Station WNAC-TV (Providence, Rhode

Island), with whom LIN has a local marketing agreement, is one of the handful of stations operating with two out-of-core channels. An orderly channel election process that allows WNAC-TV to identify available channels *before* making a channel election is critical to allow this station to optimize its DTV service.

Given the circumstances confronted by its various stations, the channel election and repacking process is vitally important to LIN. We recognize that no channel election process can perfectly satisfy the first preferences of all stations, and that any process is certain to affect our various stations differently. Given the physical limitations of spectrum, it is predictable that some stations may benefit more than others. It is essential, however, that the process itself be as fair, orderly, and transparent as possible.

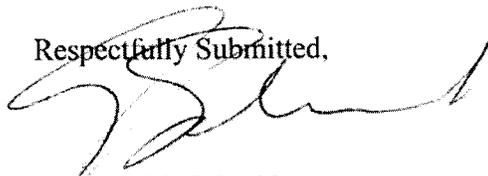
LIN supports the MSTV proposal because it reflects a serious consideration of the various issues and complexities arising from the channel election and repacking process and, as such, embodies a plan whose approach is fair and transparent and reflects the relevant equities of industry. Certainly, there will be conflicts that result from MSTV's proposed process, as there must be in any process. But we believe that the MSTV plan is likely to minimize the instances of such conflicts, and, importantly, it retains the flexibility to resolve any conflicts that do arise in a fair manner before settling on a new DTV Table of Allotments.

In expressing support for the MSTV proposal, LIN feels it is also important to state its firm opposition to any single-step filing process in which all stations would submit their applications simultaneously and the Commission would then provide the results in the form of a final DTV Table of Allotments. We believe that such a single-filing process would severely limit the ability of our stations to exercise a meaningful, informed choice in making their elections. The Commission must also know that, given the lack of transparency and fairness in a

single-filing channel election and repacking process, such a process will surely result in multiple challenges and reconsiderations. We have significant concern that a parade of reconsiderations, in turn, will delay the transition and the provision of optimal digital television service to the viewing public.

There can be no guarantee that the channel election and repacking process will not generate some challenges. What can be assured is that a thoughtful, fair, and transparent process that has industry support will minimize those challenges and expedite the transition. For these reasons, LIN strongly encourages the Commission to support MSTV's channel election and repacking plan.

Respectfully Submitted,



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