

Federal Communications Commission

FCC MB - CDBS Electronic Filing

Account number: 723797

Description: WFUM EARLY POST-TRANSITION DTV REQUEST

Application Reference Number: 20081113ADZ

Successfully filed at Nov 13 2008 3:36PM

Based on the information supplied, no fee is required.

[Informal Menu](#)

[Logout](#)

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0386 (July 2002)	FOR FCC USE ONLY
Legal STA		FOR COMMISSION USE ONLY FILE NO. - 20081113ADZ
Read Instructions/FAQ before filling out form		

Section I - General Information

1.	Legal Name of the Applicant REGENTS OF THE UNIVERSITY OF MICHIGAN	
	Mailing Address 535 W. WILLIAM STREET SUITE 110	
	City ANN ARBOR	State or Country (if foreign address) MI
	Zip Code 48103 -	
	Telephone Number (include area code) 7347649210	E-Mail Address (if available) SCHRAM@UMICH.EDU
	FCC Registration No 0003927902	Call Sign WFUM
	Facility ID Number 69273	
2.	Contact Representative (if other than licensee/permittee) TODD D. GRAY	Firm or Company Name DOW LOHNES PLLC
	Mailing Address 1200 NEW HAMPSHIRE AVE, NW SUITE 800	
	City WASHINGTON	State or Country (if foreign address) DC
	ZIP Code 20036 - 6802	
	Telephone Number (include area code) 2027762000	E-Mail Address (if available) TGRAY@DOWLOHNES.COM
3.	Purpose: <input type="radio"/> Engineering STA <input type="radio"/> Extension of Existing Engineering STA <input checked="" type="radio"/> Legal STA <input type="radio"/> Extension of Existing Legal STA	
4.	Service: DS	
5.	Community of License: City: FLINT State: MI	
6.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input checked="" type="radio"/> Governmental Entity <input type="radio"/> Noncommercial Educational Licensee/Permittee <input type="radio"/> Other <input type="radio"/> N/A (Fee Required)	
7.	Please explain in detail the "extraordinary circumstances" which warrant temporary operations at variance from the Commission's Rules. In addition, please specify 1) the specific rules and/or policies from which the applicant seeks temporary relief; 2) how the public interest will be furthered by grant; and 3) the expected duration of the STA and the licensee's plan for restoration of licensed operation.	[Exhibit 38]
8.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	<input checked="" type="radio"/> Yes <input type="radio"/> No

I hereby certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

Typed or Printed Name of Person Signing STEPHEN M. SCHRAM	Typed or Printed Title of Person Signing DIRECTOR OF BROADCASTING
Signature	Date (mm/dd/yyyy) 11/13/2008

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Attachment 38

Description
<u>REQUEST FOR APPROVAL TO OPERATE POST-TRANSITION DTV FACILITY</u>
<u>Engineering Statement</u>

EXHIBIT 38

Request for Approval of Early Commencement of Post-Transition DTV Operation NCE Station WFUM(TV/DT), Flint, MI (Facility ID 69273)

The Regents of the University of Michigan (“UM”) request approval to commence the post-transition digital television service for noncommercial educational Station WFUM-DT, DTV Channel 28, Flint, Michigan. A special operating condition in the WFUM-DT post-transition facility construction permit in FCC File No. BPEDT-20080312ADF states that UM is not to commence operation pursuant to the permit prior to February 17, 2009 without prior Commission approval. Accordingly, UM seeks authority to commence post-transition DTV Channel 28 operation under its construction permit as of **November 21, 2008**, and respectfully requests that the Commission re-issue the WFUM-DT post-transition permit in File No. BPEDT-20080312ADF without the relevant condition or otherwise grant the requested relief.

Based on its engineering review, UM submits that operation of WFUM’s post-transition DTV Channel 28 facility in FCC File No. BPEDT-20080312ADF prior to February 17, 2009 will not cause impermissible interference to any other station. *Please see* the attached engineering exhibit. Moreover, the commencement of operation of the WFUM-DT post-transition Channel 28 facility in late November, 2008 is necessary to allow UM to complete its digital transition in a timely manner. As UM has previously informed the Commission, it must convert its existing analog Channel 28 transmitter to digital use in order to change to its post-transition DTV Channel 28 (from current DTV Channel 52). The physical conversion of the equipment must take place in November, 2008 based on the schedule imposed by the manufacturer, Thomson, which is conducting the necessary work. Given the manufacturer’s other obligations (and the likely inclement weather conditions in Michigan during the winter months), this represents UM’s only opportunity to complete WFUM’s DTV facility conversion prior to the February 17, 2009 transition date.

UM previously filed a notification with the Commission of its intent to terminate WFUM’s analog service as of November 19, 2008, and has been conducting the relevant viewer notifications regarding the station’s digital transition.¹ In addition, and in accordance with the schedule set forth in its DTV Transition Status Report filings, the pre-transition WFUM-DT operation will cease as of November 21, with the planned commencement of DTV operations on post-transition channel 28. In addition to converting the existing analog transmitter to digital service, UM must simultaneously repurpose its existing digital signal generation and control equipment as used with the current (pre-transition) DTV transmitter.

In accordance with *In the Matter of Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*, the early digital operation of

¹ In fact, UM has exceeded the requirements for on-air viewer notifications of both the early analog termination plans and the general DTV consumer education announcements. UM has also complied with the relevant health care facility notification obligations.

WFUM's post-transition Channel 28 facility will not cause impermissible interference to other stations; will continue to serve existing analog and DTV viewers until the transition date; and will allow UM to meet the February 17, 2009 deadline for commencement of full, authorized post-transition service.² *Please see* attached engineering exhibit. In fact, WFUM-DT's full, authorized post-transition service obligations would be met as of November, 2008, immediately upon commencement of operation of the facilities in File No. BPEDT-20080312ADF.

UM is a noncommercial educational licensee and it operates WFUM(TV/DT) on a noncommercial educational basis. Moreover, UM is a governmental entity. The licensee is therefore exempt from FCC filing fee requirements, pursuant to Section 1.1114 of the Commission's Rules, and the facility is exempt from FCC regulatory fees, pursuant to Section 1.1162 of the Rules.

² Report and Order, MM Docket No. 07-91, FCC 07-228 (Rel. Dec. 31, 2007), at ¶ 121, et seq.



ENGINEERING STATEMENT

OF

JOHN F.X. BROWNE, P.E.

IN SUPPORT OF

REQUEST FOR

SPECIAL TEMPORARY AUTHORITY

WFUM-DT

FLINT, MI

Background

The University of Michigan (UM) is the licensee of non-commercial television broadcast stations WFUM-TV (BLET-20030718AFB), Ch28, and WFUM-DT (BLEDT-20040621ABO), Ch52 at Flint, MI. UM also holds a post-transition construction permit for WFUM-DT (BPEDT-20080312ADF, Facility ID# 69273) for post-transition operation on Ch28. As part of the transition process, the Ch28 analog transmitter will be modified for digital operation and, therefore, the WFUM-TV analog facility will have to cease broadcasting for these modifications to take place. UM now is requesting authority to cease analog broadcasting on Ch28 and commence digital broadcasting with the parameters authorized by its post-transition Construction Permit (BPEDT-20080312ADF) when the modifications have been completed (modifications are scheduled for week of November 17, 2008).



Interference

Interference studies were performed using software that emulates that used by the Commission and the results of those studies show that operation of WFUM-DT on Ch28 with the parameters enumerated in the post-transition Construction Permit is predicted to cause no interference to any other Analog, Digital, or Class A station.

Population

Below is a table showing the population that is predicted to receive coverage from the Analog facility and from the present Digital facility on Ch52 as a percentage of the population served by the post-transition facility (which is proposed to be placed in operation upon cessation of analog service prior to the end of the transition).

<u>Facility</u>	<u>Population</u>	<u>% of Post-Transition</u>
Post-Transition CP (Ch28)	4,265,577	100
Present Analog (Ch28)	3,092,418	72.5
Present DTV (Ch52)	4,228,390	99.1

Conclusion

The proposed digital facility authorized in the construction permit will serve significantly more viewers than the analog facility and slightly more than the present DTV facility. Therefore, there will be no loss in service to existing viewers of either analog or digital services.

B**Certification**

I hereby certify that the foregoing report or statement was prepared by me but may include work performed by others under my supervision or direction. The statements of fact contained therein are believed to be true and correct based on personal knowledge, information and belief unless otherwise stated; with respect to facts not known of my own personal knowledge, I believe them to be true and correct based on their origin from sources known to me to be generally reliable and accurate. I have prepared this document with due care and in accordance with applicable standards of professional practice.

A handwritten signature in black ink, appearing to read "John F.X. Browne", written over a horizontal line.

John F.X. Browne, P.E.

November 13, 2008