

Federal Communications Commission

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Description: WTXF-DT DTV TRANSITION REPORT UPDATE
Application Reference Number: 20080910ABH
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Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-1105 (January 2008)	FOR FCC USE ONLY
FCC 387		
DTV TRANSITION STATUS REPORT		FOR COMMISSION USE ONLY FILE NO. - 20080910ABH
PLEASE READ INSTRUCTIONS BEFORE COMPLETING THIS FORM		

NOTE: This Form must be filed by all full-power broadcast television stations (licensees and permittees) no later than February 19, 2008. Each Licensee/Permittee is responsible for the continuing accuracy and completeness of the information furnished in this Form. Each Licensee/Permittee must update this Form, as necessary, until such Licensee/Permittee reports the completion of its transition (i.e., that it has begun operating its full, authorized facility as defined in the post-transition DTV Table, 47 C.F.R. 73.622(i), and accompanying Appendix B).

SECTION I - GENERAL INFORMATION

Licensee/Permittee Information			
1.	Legal Name of the Licensee/Permittee FOX TELEVISION STATIONS OF PHILADELPHIA, INC.		
	Mailing Address 5151 WISCONSIN AVE., NW C/O DIANNE SMITH		
	City WASHINGTON	State or Country (if foreign address) DC	ZIP Code 20016 -
	Telephone Number (include area code) 2028953088	E-Mail Address (if available) DIANNE.SMITH@FOXTV.COM	
Contact Information (if different from licensee/permittee)			
2.	Contact Representative DAVID H. PAWLIK		
	Firm or Company Name SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP		
	Mailing Address 1440 NEW YORK AVENUE, N.W.		
	City WASHINGTON	State or Country (if foreign address) DC	ZIP Code 20005 -
	Telephone Number (include area code) 2023717044	E-Mail Address (if available) DPAWLK@SKADDEN.COM	
Station / Facility Information			
3.	FCC Registration Number 0001531128		
	Call Sign WTXF-TV	Facility ID Number 51568	
	Community of License: City PHILADELPHIA	State PA	
	Network Affiliation (if applicable) FOX	Satellite? <input type="radio"/> Yes <input checked="" type="radio"/> No	
Purpose of Form:			
4.	a. <input type="radio"/> Status Report b. <input checked="" type="radio"/> Update c. <input type="radio"/> Amendment		

If an amendment, submit as an Exhibit a listing by Section and Question Number the portions of the pending application that are being revised.	[Exhibit 1]
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SECTION II - CURRENT STATUS

1.	Currently Assigned Channels:	
	a. NTSC Channel:	29
	b. Post-Transition DTV Channel:	42
	c. Pre-Transition DTV Channel (if different from Post-Transition channel.)	
2.	Relevant FCC File No. for Post-Transition Authorization, if on file with Commission (or indicate "Not Yet Filed"): FCC File No. BPCDT- 20080313ACO	<input type="checkbox"/> Not Yet Filed
3.	Current Construction Deadline:	2/17/2009

SECTION III - POST-TRANSITION FACILITY (Complete all items unless otherwise indicated.)

1.	Operational Status: Is the Licensee/Permittee now operating its fully authorized final, DTV (post-transition) facility? <input type="radio"/> Yes <input checked="" type="radio"/> No (If YES, go to Section V; If NO, go to Item 2.)	
2.	If Item 1 is NO (i.e., not fully operational), then indicate operational status of final, DTV (post-transition) facility and indicate date Licensee/Permittee expects to begin full, authorized post-transition operations: (check one)	
	<input type="radio"/> (i) Licensee/Permittee is operating its post-transition facility pursuant to program test authority; see 47 C.F.R. § 73.1620(a). If checked, indicate date Licensee/Permittee expects to file its license to cover (FCC Form 302) application.	Expected Operational Date: 3/31/2009 (mm/dd/yyyy)
	<input checked="" type="radio"/> (ii) Licensee/Permittee is operating its post-transition facility pursuant to special temporary authority (STA) or at a reduced facility. If checked, indicate power level and percentage of analog population covered by reduced facility.	Power Level: 1000 kW Population: 92 %
	<input type="radio"/> (iii) Licensee/Permittee is not operating its post-transition facility.	
3.	Construction Status: Has the Licensee/Permittee completed construction of its final, DTV (post-transition) facility? <input type="radio"/> Yes <input checked="" type="radio"/> No (If YES, skip Items 4-5 and go to Item 6(a); If NO, go to Item 4.)	
4.	If Item 3 is NO (i.e., not fully constructed), then indicate construction status of final, DTV (post-transition) facility and indicate date Licensee/Permittee expects to complete construction: (check all that apply)	
	<input type="checkbox"/> (i) Licensee/Permittee has not begun construction of its post-transition facility.	Expected Construction Date: (mm/dd/yyyy)
	<input type="checkbox"/> (ii) Licensee/Permittee is now constructing its post-transition facility.	
	<input checked="" type="checkbox"/> (iii) Licensee/Permittee has constructed a reduced post-transition facility and additional construction is needed to complete Licensee/Permittee's fully authorized facility.	
5.	Construction Permit Status: Does the Licensee/Permittee hold a license or construction permit for its final, DTV (post-transition) facility? <input checked="" type="radio"/> Yes <input type="radio"/> No (If YES, go to Item 6(a); If NO, skip Item 6(a) and go to Item 6(b).)	

(5) Licensee/Permittee has filed an application with the FCC requesting approval to terminate its analog service prior to the transition date. If checked, indicate relevant FCC File No. and proposed date service will cease.

Licensee/Permittee must describe in detail its plans for ceasing analog broadcasting by the February 17, 2009 transition date and for completing construction of its post-transition facility by the deadline. For example, plan must include a detailed time line of the Licensee/Permittee's plans to complete construction and any necessary testing of the Licensee/Permittee's full, authorized post-transition facility.	[Exhibit 4]
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SECTION VII -- ANTI-DRUG ABUSE ACT CERTIFICATION

Filer certifies that neither it nor any party to the form 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
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SECTION VIII -- CERTIFICATION

I 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. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing DIANNE SMITH	Typed or Printed Title of Person Signing VICE PRESIDENT
Signature	Date 9/10/2008

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

Exhibit 2

Description: COORDINATION

WTXF NEEDS TO COORDINATE ITS TRANSITION WITH WLVT, ALLENTOWN, PA.

Attachment 2

Exhibit 4

Description: TRANSITION UPDATE

WTXF-DT THANKS THE COMMISSION FOR THE GRANT OF THE CRITICAL AUXILIARY REFERENCED IN THE ATTACHED EXHIBIT 4.

Attachment 4

Description
Transition Plan

Analog Plan:

WTXF-TV Channel 29 will sign off at 11:59:59 PM on February 17, 2009.

Digital Plan (“Phased Transition – Top-Mount/Side-Mount Issue”):

WTXF-DT is currently operating on its licensed facility with a directional, side-mounted antenna at 1000 kW ERP, 282.3m HAAT. A directional contour is required until the transition date due to the presence of analog WLVT-TV, Facility ID No. 36989, Allentown, PA.

The FCC granted WTXF-DT’s post-transition construction permit to build its allocated DTV Table Appendix B facility. WTXF-DT qualifies for a “phased transition” under the “unique technical challenge” fact scenario because it must remove its top-mounted channel 29 analog antenna and replace it with a channel 42 digital antenna immediately following February 17, 2009. Barring any weather problems and utilizing both its current side-mounted antenna and a digital auxiliary facility (*see request below*) at a different tower location, WTXF-DT anticipates that it will be operating its fully-authorized post-transition facility on or about March 31, 2009. The transmitter for the top-mounted facility is the same as the transmitter for the side-mounted antenna. WTXF-DT plans to place the order for its new top-mounted antenna and the transmission line connection pieces soon, so they will be on-site and ready to be installed immediately following February 17, 2009. When completed, the top-mounted facility will reach 103% of WTXF’s current analog population.

WTXF-DT also has applied to maximize the above facility to 650 kW ERP, which will then cover 109% of WTXF’s analog population (File No. BMPCDT-20080616AAQ).

WTXF-DT respectfully requests that the Commission approve its pending applications for two digital auxiliary facilities. **One of these facilities is critical to the timely completion of the station’s post-transition, top-mount construction project. Please see File No. BXPCDT-20080429AAQ.** This application will allow WTXF-DT to re-license its original DTV facility as an auxiliary at 163m HAAT with 1,000 kW ERP which would provide backup transmission facilities capable of covering 91% of the current analog viewers. Since this auxiliary is located at a different tower site, it can be utilized during the top-mount construction project, so that WTXF-DT can provide continuous, uninterrupted service while the tower crews are working.

The second pending auxiliary application will allow WTXF-DT to have a back-up facility for its current side-mount facility (File No. BXPCDT-20080416AAV).