



Federal Communications Commission  
Washington, D.C. 20554

DA 03-1481  
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Re: KVMD(TV), Twentynine Palms, CA  
Second Request to Discontinue Analog  
Operations  
Facility ID No. 16729

Dear Counsel:

This letter is in response to your letter of February 10, 2003, filed on behalf of KVMD Acquisition Corp. (KVMD), licensee of analog television station KVMD(TV), Channel 31, Twentynine Palms, California, and permittee of digital television (DTV) station KVMD-DT, Channel 23, Twentynine Palms, California. In your letter, you submit a request to discontinue operation of the KVMD(TV)'s analog operation on Channel 31. You sent a similar proposal on September 25, 2002, which the staff rejected by letter on December 19, 2002. For the reasons set forth below, we grant your request to terminate analog operations for KVMD(TV) conditioned upon notice of this change to viewers.

In your current filing, you maintain that there would be no actual loss of over-the-air analog service if KVMD(TV) were to terminate operation. You submit documentation from Nielsen research that purports to show that there is no over-the-air viewing of KVMD(TV).<sup>1</sup> Upon consideration of this additional documentation, the unique combination of circumstances present in this case, and in accordance with our management of the digital television transition, we conclude that the public interest would be served by allowing KVMD to terminate the analog operations of KVMD(TV).

KVMD(TV) is an independent station with limited facilities and a service area that covers sparsely-populated desert. As a result, the station has a limited number of viewers. Further, the information you have supplied suggests that nearly all of those who view the station receive KVMD(TV) through cable and direct broadcast satellite, not through over-the-air transmission. Thus, conversion of the station to all-digital transmission – required by the DTV transition – will have a minimal impact on viewers.

Nonetheless, in order to minimize any disruption to over-the-air viewers as a result of the transition, we condition grant of your request as follows: KVMD will broadcast

<sup>1</sup> The Nielsen research included ratings share data for KVMD(TV) in the Los Angeles television market and the results of a phone survey conducted by Nielsen to determine the number persons that view the station off-air.

announcements informing viewers of its intent to change to digital-only operations beginning thirty days prior to the date of full conversion. The announcements shall be broadcast at least once daily between 6 p.m. and 11 p.m. on four days each week until cessation of analog operations. KVMD must notify the Commission within ten days of its permanent cessation of broadcast operations in analog mode. Subject to KVMD's compliance with the foregoing, the February 10, 2003, request to discontinue analog operations IS GRANTED.

Sincerely,

W. Kenneth Ferree  
Chief, Media Bureau