



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12th St., S.W.**  
**Washington, D.C. 20554**

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**DA 05-3031**

**November 23, 2005**

## **SECOND ROUND DTV CHANNEL ELECTION ISSUES – PROPOSED NEGOTIATED CHANNEL ARRANGEMENTS AND PROCEDURES FOR FILING ASSOCIATED PLEADINGS**

The Media Bureau hereby releases a list of the stations participating in the second round of DTV channel elections that are also participating in negotiated channel arrangements (“NCAs”). The attached list identifies stations proposing an NCA, as indicated on FCC Form 384, Digital Channel Election Form Second Round Election, and the channel the station proposes for post-transition DTV operation in connection with the NCA. Each NCA has one or more application file numbers, as indicated on the attached list. The list also includes the stations identified in the proposed NCA as participants in the arrangement.

Licenses in the second round of the DTV channel elections were permitted to elect a channel through a proposed NCA with another station. If the NCA is approved by the Commission, these stations will receive a tentative channel designation. If the NCA is not approved, the station will be treated as electing its contingent channel. The attached list includes the contingent channel indicated on FCC Form 384 or the station’s preference for the Commission to select as its contingent channel the best available channel.

To ensure that all interested parties have an opportunity to comment on the proposed NCAs for these stations, the attached list identifies the channels these stations propose for post-transition DTV operation in connection with the NCA.

Parties objecting to or commenting on an NCA identified in the attached list must file their pleadings with the Commission no later than December 7, 2005, and responsive pleadings must be filed no later than December 14, 2005. Pleadings must reference both the NCA application file number(s) and docket number 03-15 (the Media Bureau docket number of the Second DTV Periodic Review Proceeding) and must be filed electronically using the Commission’s Electronic Comment Filing System (“ECFS”). A copy of any pleading regarding an NCA also must be (1) served by express mail on all stations participating in the NCA, and (2) delivered to Nazifa Sawez, Federal Communications Commission, Room 2-A726, 445 12th Street, S.W., Washington, D.C. 20554.

Stations participating in an NCA that propose to reduce their technical operating facilities as part of the NCA must provide the Commission with the proposed technical parameters using one or more FCC Form 385 Schedule Bs. Schedule B(s) must be filed electronically through the Media Bureau's Consolidated Database System ("CDBS") online electronic forms system no later than November 30, 2005. These stations must use FCC letter reference number 1003 to pass the pre-form (the first page that appears when using CDBS) of Form 385. A copy of any such Schedule B(s) also must be delivered to Nazifa Sawez, Federal Communications Commission, Room 2-A726, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554. Parties interested in viewing the Schedule B(s) filed by a station may use CDBS to access FCC Form 385 filings.

We remind stations that all NCAs are subject to Commission approval and may be rejected if they propose the acceptance of a significant level of interference or loss of service or are otherwise inconsistent with the public interest. If, after review of the record, including but not limited to oppositions and replies, we find that the NCA reasonably could be construed to have an adverse impact on the interests of a station not a party to the NCA, or is otherwise not in the public interest, the NCA will be rejected.<sup>1</sup>

For additional information, contact Nazifa Sawez or Joyce Bernstein, Video Division, Media Bureau, at (202) 418-1600 or at [nazifa.sawez@fcc.gov](mailto:nazifa.sawez@fcc.gov) or [joyce.bernstein@fcc.gov](mailto:joyce.bernstein@fcc.gov). TTY: (202) 418-7172.

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<sup>1</sup> See *Second DTV Periodic Review Report and Order*, 19 FCC Rcd 18279, 18297-98 (2004). See also *In the Matter of Negotiated Channel Election Arrangements*, 20 FCC Rcd 10141 (2005).