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

News Media Information 202 / 418-0500
Internet: http://www.fcc.gov
TTY: 1-888-835-5322

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Guidelines for Interference Conflict Analysis in the Second Round of DTV Channel Elections

By letters dated February 1 and 2, 2006, the Media Bureau's Video Division notified 30 licensees that their proposed digital operation on their elected channel would result in impermissible interference to one or more stations, or that the proposed facility did not comply with the Commission's requirements for parties to a Negotiated Channel Agreement (NCA). These licensees must file a Second Round Conflict Decision Form 385 electronically through the Media Bureau's Consolidated Database System (CDBS) online electronic forms system, indicating how they will resolve the interference conflict, no later than April 3, 2006. Licensees that propose to reduce their technical operating facilities for their proposed elected channel must attach Schedule B to FCC Form 385 to specify their proposed technical parameters. In addition, the licensees that have proposed to increase their technical operating facilities to serve larger coverage areas as part of an NCA must amend their proposals, no later than March 3, 2006, so that their proposed coverage contour does not extend beyond the coverage contour of their currently certified facilities.

Licensees who are unable to resolve their interference and/or coverage problems on their elected channel must decide whether to request a contingent channel as their tentative channel designation or to participate in the Third Round. Our original plan for this stage of the election process was that a licensee that could not resolve its Second Round conflict on its elected channel would be limited to requesting the contingent channel that it had identified on its FCC Form 384. That contingent channel would then be evaluated based on the licensee's certified coverage area, and we did not plan on affording licensees an opportunity to request reduced operating facilities to resolve engineering conflicts. However, we now are reaching the end of the channel election process and face a relatively small number of difficult cases that remain to be accommodated with tentative channel designations. For many of these stations, the channel options are very limited. We are concerned that our policy of requiring pre-elected contingent channels to be studied based on certified coverage area and then not making assignments if the elected contingent channel would result in impermissible interference to any station would force most of these stations to the Third Round. We also note that these Second Round stations could have identified any in-core channel for their FCC Form 384 contingent election.

Therefore, in order to resolve as many Second Round elections as possible and thus expedite the conclusion of the channel election process, we will allow limited additional flexibility to those

licensees unable to resolve their elected-channel conflicts. Specifically, such licensees may propose any in-core channel as their contingent channel and may propose reduced technical operating facilities for the contingent channel. To accommodate this flexibility on the existing FCC Form 385, licensees that wish to submit contingent-channel should check Box 2.b; in addition, licensees that wish to reduce technical facilities for their contingent-channel should attached Schedule B to FCC Form 385. Licensees proposing to use a contingent channel will not be afforded an additional opportunity in the Second Round to resolve any interference conflicts, but will be required to participate in the Third Round of elections if their FCC Form 385 proposal results in an interference conflict.

For additional information, contact Gordon Godfrey of the Engineering Division at 202-418-2193, or gordon.godfrey@fcc.gov, or Nazifa Sawez of the Video Division, Media Bureau, at (202) 418-7059, or nazifa.sawez@fcc.gov. TTY: (202) 418-7172.

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