



Federal Communications Commission
Washington, D.C. 20554

DA 08-173

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1800E3-JLB

Gray Television Licensee, Inc.
c/o John M. Burgett, Esq.
Wiley Rein LLP
1776 K Street, N.W.
Washington, D.C. 20006

Re: WSWG(TV), Valdosta, Georgia
Facility ID No. 28155

Dear Licensee:

On August 10, 2007, Gray Television Licensee, Inc. ("Gray"), the licensee of WSWG(TV), analog channel 44, and WSWG-DT, digital channel 43, Valdosta, Georgia, requested Commission authority to surrender its license for its analog channel and thereafter operate as a digital-only station on its DTV channel. In support, Gray states that its analog facility has been silent since January 30, 2007, when that facility experienced extensive equipment failure. According to Gray, due to the severity of the damage to the transmission equipment, the equipment can no longer be repaired, and the cost of purchasing and installing new equipment would exceed \$180,000.¹ Gray also submits information relating to the financial position of WSWG(TV)/(DT) and asserts that requiring it to make such an investment "would be financially devastating." Furthermore, Gray demonstrates that the entire area within the predicted Grade B contour of WSWG(TV) is encompassed by the Grade B signal of WCTV(TV), Tallahassee, Florida, a commonly-owned Gray Television station. Both stations are CBS affiliates, and, with the exception of a minimal amount of local advertising and certain syndicated programs, the two stations' program offerings are identical. Finally, Gray states that WSWG(TV) has simulcast WCTV(TV)'s newscasts.

We agree that the public interest would not be served by requiring Gray to construct a new analog replacement facility at this time, given its unique relationship with WCTV(TV). We acknowledge that the Commission generally does not favor reductions in television service and that proposals that would result in a loss of TV service are considered *prima facie* inconsistent with the public interest and must be supported by a strong showing of countervailing public interest benefits.² Here, however, there is no real reduction in service, given that the viewers of the analog signal of WSWG(TV) have continued to receive

¹ Constructing a low power analog would be similarly expensive because the purchase and installation of a new main feed line – which represents the most significant portion of the hard costs of repairing the analog facilities – would still be required.

² See, e.g., *Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 07-91, Report and Order, FCC 07-228 (released December 31, 2007) at ¶ 110 (2007).

analog CBS network service and regional news and information from WCTV(TV) after the Valdosta analog facility was destroyed. Thus, it is not necessary to conduct the type of analysis of countervailing public interest benefits which are required when considering applications or other requests which would result in a loss of television service.

Based upon the foregoing, we believe the public interest would be served by permitting Gray to surrender its license for NTSC channel 44, Valdosta, Georgia, and operate as a digital-only station on channel 43 until the end of the DTV transition. Accordingly, Gray's request IS GRANTED.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau