



Federal Communications Commission  
Washington, D.C. 20554

**DA 08-2558**

**Released: December 15, 2008**

Ellen Mandell Edmundson  
Counsel for West Virginia Media holdings, LLC  
1920 N Street N.W.  
Washington, D.C. 20036

Re: MB Docket No. 05-317

Dear Ms. Edmundson:

By letter dated October 8, 2008, West Virginia Media Holdings, LLC, licensee of WBOY-TV, Clarksburg, West Virginia requested a third extension of its waiver of Section 339(a)(2)(D) of the Communications Act of 1934, as amended, to prohibit satellite subscribers from receiving or conducting a digital signal strength test of WBOY-DT's digital signal.<sup>1</sup> The Commission granted the original digital signal testing waiver based on the fact that the station's digital signal coverage was limited due to the necessity to use a side mounted antenna.<sup>2</sup> The Commission has granted the licensee two six-month extensions.<sup>3</sup> In its most recent extension request, the licensee states that the circumstances justifying a waiver still exist and that it is prevented from installing a top mounted digital antenna because its analog antenna is currently installed in that position and will continue to operate there until February 17, 2009 when the digital transition takes place.

Accordingly, IT IS ORDERED that the request of West Virginia Media holdings IS GRANTED and the first permissible date for digital testing for WBOY-DT IS EXTENDED until February 18, 2009. No further extensions of this waiver should be necessary.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

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<sup>1</sup> See 47 U.S.C. § 339 (a)(2)(D)(viii), as amended by Section 207 of the Satellite Home Viewer Extension and Reauthorization Act of 2004 ("SHVERA"), 47 U.S.C. § 339.

<sup>2</sup> See *Waiver of Digital Testing Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004*, 22 FCC Rcd 12918, 12924 (MB 2007).

<sup>3</sup> See *Waiver of Digital Testing Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004*, 23 FCC Rcd 396, 400 (MB 2008); Letter to Ellen Mandell Edmundson, DA 08-1276, 23 FCC Rcd 8602 ( MB 2008).