

# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION

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## **"COMMUNITY BROADCASTERS PROTECTION ACT OF 1999" SETS DEADLINE OF DECEMBER 31, 1999 FOR FULL SERVICE TV STATIONS TO FILE LETTERS OF INTENT TO MAXIMIZE THEIR DTV FACILITIES**

On November 29, 1999, the Community Broadcasters Protection Act of 1999 (Act) was signed into law. That legislation provides for the establishment of a new primary status "Class A" license for qualifying low power television (LPTV) stations. The Act directs the Commission to grant a "certification of eligibility" to apply for a Class A license to LPTV station licensees who certify within 60 days of enactment that their stations meet certain statutorily-established qualifications. Generally, the service areas of LPTV stations granted this designation are to be preserved against electromagnetic interference until final resolution of their applications for Class A licenses.

The Act, however, provides that the service areas of Class A-designated stations are not preserved with respect to commercial and noncommercial educational DTV stations seeking to replicate their analog services area, nor from "maximized" DTV facilities for which applications or notices of intent to maximize were filed by **December 31, 1999**. Commercial and noncommercial educational DTV applicants filing notices of intent to maximize must also file their maximization applications by **May 1, 2000**. Maximization is a term that describes DTV station operations with an effective radiated power (ERP) and/or antenna height above average terrain (HAAT) which exceed a station's initially allotted ERP and/or HAAT (*See Appendix B of the Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders* in MM Docket No. 87-268, which is available on the FCC's web site at <http://www.fcc.gov/dtv/>).

The notice of intent to file a DTV maximization application must be filed with the Commission by December 31, 1999, and should be directed to H. John Morgan, Assistant Chief (Engineering), Video Services Division, Mass Media Bureau, FCC, Room 2-C864, 445 12<sup>th</sup> St., SW, Washington, D.C. 20554. The actual technical facilities to be proposed in the application need not be stated in the letter. A record of stations filing these letters will be available at the FCC web site at <http://www.fcc.gov/mmb/vsd/dtvstatus.html>, in January 2000.

For further information, please contact H. John Morgan at (202) 418-1600.

By: Chief, Mass Media Bureau