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December 1, 2006

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Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
The Portals II, Filing Counter, TW-204
445 12th Street, S.W.
Washington, DC 20554

Re: WTBY-TV, Poughkeepsie, New York (Fac. ID No. 67993)
Request for Authority to Cease Analog Operations

Dear Ms. Dortch:

Trinity Broadcasting of New York, Inc. ("Trinity"), the licensee of WTBY-TV, NTSC Channel 54, Poughkeepsie, New York, hereby respectfully requests authority to: (i) cease analog broadcasting on Channel 54 and surrender its license for that channel as soon as possible to permit QUALCOMM Incorporated ("QUALCOMM") to expand the coverage footprint of the MediaFLO service on Channel 55 in the New York City market; and, (ii) thereafter to operate WTBY-DT as a single, digital-only television station on Channel 27 until the end of the DTV transition.

I. Summary

A grant of this request will further the public interest by allowing a greater number of people to enjoy QUALCOMM's new MediaFLO service. The Commission and the Video Services Division have each found that it is in the public interest for consumers to be able to receive MediaFLO¹. Accordingly, the Video Services Division has granted requests of four NTSC stations which, like WTBY-TV, sought authority to shut down early to make way for MediaFLO². A grant of the instant request will enable QUALCOMM to expand its coverage footprint in the New York City market, thereby furthering the public interest.

¹ See In The Matter Of QUALCOMM Incorporated, Order FCC 06-155, released October 13, 2006 at para. 28; Letter to Jennifer M. McCarthy, DA 06-2320 (Video and Mobility Divisions), released Nov. 16, 2006 at Pg. 2; Letter to Jennifer M. McCarthy, 21 FCC Rcd 4093 (Video and Mobility Divisions 2006) at Pg. 2.

² See Letter to Johnson Broadcasting, Inc., DA 06-2319, released Nov. 16, 2006 (Video Services Division); WLNY, Inc., 20 FCC Rcd 14765 (Video Services Division 2005); Associated Christian Television System, Inc., 20 FCC Rcd 12425 (Video Services Division 2005); Puget Sound Educational TV, Inc., 20 FCC Rcd 12423 (Video Services Division 2005).

Moreover, there will be no detriment to the public from a grant of this request. WTBY-TV is not one of the top four rated stations in its market, and a grant of this request will speed the pace of the DTV transition. Although WTBY-TV is the sole full power station licensed to Poughkeepsie, NY, the entirety of Poughkeepsie is served by six other TV and DTV stations, and most of Poughkeepsie receives two more TV stations for a total of eight stations. See Engineering Statement attached as Exhibit 1 at Pgs 1-2. In fact, the New York City DMA, WTBY's home DMA, has cable and satellite penetration of approximately 93.6³. Further, the Longley-Rice analysis in the Engineering Statement in Exhibit 1 demonstrates that the WTBY-DT digital signal is actually received over the air by 13,089,426 more people than receive the WTBY-TV analog signal. Ex. 1 at Pgs. 2-3. Therefore, after a grant of this request, a far greater number of people will have access over the air to the programming of the Trinity Broadcasting Network via WTBY-DT than do so via WTBY-TV. Finally, even putting aside the Longley-Rice analysis, the entire Grade B contour of WTBY-TV is covered by the Grade B or noise limited contour of two or more TV or DTV stations. *Id.* at Pgs. 3-4, Figure 3. For all of these reasons, the public interest will be furthered, not diminished, by a grant of this request.

II. Overview

This request is filed pursuant to the voluntary band-clearing procedure adopted by the Commission in the *Report and Order* in GN Docket No. 01-74 (*Reallocation and Service Rules for the 698-746 MHz Spectrum Band (Television Channels 52-59)*), 17 F.C.C. Rcd. 1022, 1094-96 (2002) (¶¶182-84) ("*Lower 700 MHz Band R&O*"), in order to clear the Channel 55 portion of the Lower 700 MHz band in the Dallas DMA and is in keeping with several recent decisions of the Video Services Division granting similar requests under similar circumstances. See Letter to Johnson Broadcasting, Inc., DA 06- 2319, released Nov. 16, 2006 (Video Services Division). WLNY, Inc., 20 FCC Rcd 14765 (Video Services Division 2005); Associated Christian Television System, Inc., 20 FCC Rcd 12425 (Video Services Division 2005); Puget Sound Educational TV, Inc., 20 FCC Rcd 12423 (Video Services Division 2005).

In these decisions, the Commission and the Division have recognized that substantial public interest benefits will accrue when incumbent TV stations on analog channels 52-59 (the "Lower 700 MHz Band") voluntarily vacate their out-of-core channel allocations early, before the DTV transition ends on February 17, 2009. The Lower 700 MHz Band has been primarily reallocated for fixed and mobile services, and Congress has required the Commission to reclaim this spectrum from the

³ This data is current as of July 2006 and can be found at: http://www.tvb.org/rcentral/markettrack/Cable_and_ADS_Penetration_by_DMA.asp.

incumbent TV stations on Channels 52 to 69 at the end of the transition. See 47 U.S.C. Section 309 (j)(14).

Under Commission policy, the Commission will consider voluntary band-clearing proposals for the Lower 700 MHz band on a case-by-case basis, considering four public interest factors. See Letter to Johnson Broadcasting; WLNY, Inc., Associated Christian Television System, Inc., Puget Sound Educational TV, Inc., supra. Those factors are whether a grant of the request would:

- (1) make new or expanded wireless services available to consumers or deploy wireless services to underserved areas;
- (2) result in the loss of any of the four stations in the DMA with the largest audience share;
- (3) result in the loss of the sole service licensed to the local community, or the loss of a community's sole noncommercial educational television service; and,
- (4) have a negative effect on the pace of the DTV transition in that market.

Trinity shows herein that the instant request should be granted when it is assessed under those four factors.

III. A Grant of This Request Will Result in New Wireless Service

Starting with the first of the four factors, as verified in the attached letter from Dean R. Brenner of QUALCOMM, Exhibit 2 hereto, a grant of the instant request will result in substantial public interest benefits because it will allow QUALCOMM to launch its MediaFLO service to a greater coverage footprint within the New York City DMA. The Commission recently found that it is in the public interest for MediaFLO to be offered to consumers. See In The Matter Of QUALCOMM Incorporated, Order FCC 06-155, released October 13, 2006 at para. 28. The Video Services and Mobility Divisions have made the same finding in several rulings. See Letter to Jennifer M. McCarthy, DA 06-2320 (Video and Mobility Divisions), released Nov. 16, 2006 at Pg. 2; Letter to Jennifer M. McCarthy, 21 FCC Rcd 4093 (Video and Mobility Divisions 2006) at pg. 2.

The expeditious and efficient recovery of WTBY's analog spectrum to enable QUALCOMM to deploy MediaFLO to a greater coverage footprint in the New York City DMA would clearly further the Commission's and Congress' long-term policy goals. Accordingly, this factor weighs heavily in favor of a grant of the instant request.

IV. A Grant of This Request Will Not Result in the Loss of Any of the Four Stations in the New York City DMA with the Largest Audience Share

WTBY is not one of the four stations in the New York City DMA with the largest audience share. As a result, this factor also weighs in favor of a grant of the instant request.

V. Poughkeepsie Is Very Well Served By Other TV and DTV Stations

WTBY is the sole full service station licensed to Poughkeepsie, New York, although there is a low power station, W42AE, which is licensed to Poughkeepsie. Dutchess Community College holds the license to the low power station. The fact is that Poughkeepsie is very well served by other TV and DTV stations. As verified in the Engineering Statement in Exhibit 1, a total of six TV and DTV stations cover all of Poughkeepsie within their Grade B or noise limited contour, and two more TV stations cover large portions of Poughkeepsie. Ex. 1 at Pgs. 1-2. Thus, upon a grant of the instant request, Poughkeepsie will continue to be well served by TV and DTV stations.

Under Commission precedent, the fact that WTBY is the only full service TV station licensed to Poughkeepsie should not weigh against a grant of the instant request. To date, there have been nine cases involving early band clearing requests, and in eight of the nine cases, the Division has granted the request (the ninth request is now under reconsideration). Of the eight grants, five have involved stations which were the sole station licensed to their community⁴. Thus, a grant of the instant request would be fully consistent with past precedent.

⁴ See Letter to Johnson Broadcasting, Inc., DA 06-2319, released Nov. 16, 2006 (Video Services Division) (involving KLDT (TV), sole station licensed to Lake Dallas, TX); WLNY, Inc., 20 FCC Rcd 14765 (Video Services Division 2005) (involving WLNY (TV), sole station licensed to Riverhead, NY); WRNN-TV Associates L.P., 19 F.C.C. Rcd. 12,343 (Med. Bur. 2004) (involving WRNN-TV, sole station licensed to Kingston, NY); Commonwealth Public Broadcasting Corp., 18 F.C.C. Rcd. 18,517 (Med. Bur. 2003) (involving WNVT-TV, sole station licensed to Goldvein, VA); Barry A. Friedman, Esq., 18 F.C.C. Rcd. 9131 (Med. Bur. 2003) (involving KVMD(TV), sole station licensed to Twentynine Palms, CA). The other cases in which early band clearing requests have been granted are: Associated Christian Television System, Inc., 20 FCC Rcd 12425 (Video Services Division 2005) (involving WACX (TV), Leesburg, FL); Puget Sound Educational TV, Inc., 20 FCC Rcd 12423 (Video Services Division 2005) (involving KWDK (TV), Tacoma, WA); Lenfest Broadcasting, LLC, 17 F.C.C. Rcd. 19,148 (Med. Bur. 2002) (involving WWAC-TV, Atlantic City, NJ).

VI. A Grant of the Instant Request Would Help Advance the DTV Transition

WTBY's analog operation on Channel 54 is out of core and will be shut down on February 17, 2009 absent a grant of this request. Accelerating the shut down of WTBY-TV will accelerate the pace of the DTV transition. Moreover, as shown in the Engineering Statement in Exhibit 1, a Longley-Rice analysis demonstrates that the WTBY-DT digital signal is actually received over the air by over 13,089,426 more people than receive the WTBY-TV analog signal. Ex. 1 at pgs 2-3. Given that WTBY operates in the New York City DMA, a DMA with among the highest degree of cable and satellite penetration in the country at 93%, the early shut down of WTBY to make way for QUALCOMM's MediaFLO service would clearly advance the DTV transition.

Indeed, a grant of the instant request would facilitate the very policies that are at the core of the DTV transition-- the proliferation of DTV service and the use of the cleared spectrum for new advanced wireless services. This factor also weighs heavily in favor of the grant of the instant request.

VII. Other Factors Also Support a Grant of the Instant Request

Several other factors support a grant of the instant request. First, the early shut down of WTBY will save Trinity approximately \$477,000 in utility, tower site charges, and operations. These substantial savings will enable Trinity to better support WTBY-DT by investing in the development of new and enhanced digital program offerings and production.

Second, the Trinity programming aired on WTBY will remain available to virtually all of its current viewers and will actually be available the millions more viewers who receive WTBY-DT as opposed to WTBY, since WTBY-DT has far greater coverage over the air than WTBY. Ex. 1 at Pgs. 2-3. A grant of the instant request will not curtail access to the Trinity programming--rather, WTBY-DT provides millions more viewers with access to the Trinity programming than WTBY does.

Third, pursuant to Commission policy, if the instant request is granted, Trinity intends to demand that cable operators carry WTBY-DT's signal in analog format so that all cable households will be able to view the station's programming. As may be necessary, WTBY-DT will supply cable operators with the equipment needed to convert the station's signal from digital to analog form. Moreover, WTBY will deliver an analog signal by fiber to cable head ends, if necessary.

Finally, although the Engineering Statement shows that 8,128 people in the Grade B contour of WTBY would not have access to another full service analog station, low power television or Class

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A television service upon a grant of this request, the Engineering Statement also shows that not a single person would be left with fewer than two or more DTV or TV services, and 98.1% of the people in the WTBY Grade B contour would have continuing access to five or more DTV or TV services upon a grant of this request. Ex. 1 at Pgs. 3-6. A grant of the instant request will not leave a single person without the ability to receive two or more stations.

With respect to those 8,128 people referenced above, the most recent Nielsen ratings show that none of those people, who all live in Ulster, Sullivan, or Dutchess Counties, watch WTBY. The station has no measurable viewership at all in those counties, according to the latest Nielsen study. Accordingly, as a practical matter, there will be absolutely no adverse impact on the public from a grant of the instant request.

VIII. CONCLUSION

The early return of WTBY's NTSC Channel 54 provides substantial public interest benefits without causing any offsetting harm. Accordingly, for the reasons set forth herein, Trinity respectfully requests that the Commission authorize WTBY-TV to surrender its license for NTSC Channel 54 as soon as possible.

Respectfully submitted,

**TRINITY BROADCASTING OF NEW
YORK, INC.**

By: 

Colby M. May
Its Attorney

cc: Donna Gregg, Esq. (FCC, via e-mail (Donna.Gregg@fcc.gov))
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EXHIBIT 1

ENGINEERING STATEMENT

ENGINEERING STATEMENT
CONCERNING OTHER TELEVISION SERVICES ANALYSIS
TELEVISION STATION WTBY-TV/DT
POUGHKEEPSIE, NEW YORK

This Engineering Statement was prepared on behalf of television station WTBY-TV/DT, Poughkeepsie, New York concerning an analysis of its analog television service in support of its request for authority to cease analog operations. WTBY-TV operates on Channel 54 at Poughkeepsie, New York with a maximum peak visual effective radiated power (ERP) of 5,000 kW using a directional antenna with a height above average terrain of 490 meters. WTBY-DT is licensed for digital operation on Channel 27 with a maximum average ERP of 800 kW with an antenna height above average terrain of 358 meters. WTBY-DT has a tentative channel designation for the post-transition on Channel 27 that is identical to its licensed operation on Channel 27.

Local Television Services to Poughkeepsie

WTBY-TV/DT is the only full-service station assigned to Poughkeepsie, New York. Local service to Poughkeepsie will continue with the WTBY-DT licensed digital operation on Channel 27. Low power television (LPTV) station W42AE is also licensed to Poughkeepsie, New York. It operates on Channel 42 with a maximum directional ERP of 19.3 kW with an antenna radiation center of 380 m above mean sea level.

An analysis of other licensed full service television stations reveals that there is predicted analog Grade B or digital noise-limited (NL) contour coverage of Poughkeepsie from six other stations with an additional two stations having partial Grade B contour coverage of Poughkeepsie. This is illustrated at Figure 1 herein. The stations having complete coverage of Poughkeepsie city limits are as follows: WTNH-DT, New Haven, CT (Channel 10); WTXX(TV), Waterbury, CT (Channel 20);

WTBY-DT, Poughkeepsie, NY (Channel 27); WVIT-DT, New Britain, CT (Channel 35); WRNN-DT, Kingston, NY (Channel 28); and, WTIC-TV, Hartford, CT (Channel 61). The stations having partial coverage of Poughkeepsie are as follows: WFSB(TV), Hartford, CT (Channel 3) (55.4% of the area); and, WTNH(TV), New Haven, CT (Channel 8) (98.0% of the area).

Predicted Coverage Comparison for WTBY-TV/DT

A comparison of the WTBY-TV predicted Grade B contour and the WTBY-DT predicted NL contour is shown at Figure 2 herein. Based on the conventional FCC contour method, the predicted WTBY-TV Grade B contour encompasses a population of 6,059,644 within an area of 24,070 square kilometers.

Based on the conventional FCC contour method, the predicted WTBY-DT licensed 41 dBu, f(50,90), NL contour encompasses a population of 15,776,529 within an area of 27,390 square kilometers. This is a difference in population of 9,716,885 relative to the analog service population. The WTBY-DT NL contour will serve a population of 5,645,129 within the licensed WTBY-TV analog Grade B service contour. This is a difference of 414,515 relative to the WTBY-TV Grade B service population. Of this, a population of only 2,273 is located within the WTBY-TV home Nielsen Designated Market Area (DMA) of New York.

A coverage analysis was conducted for WTBY-TV/DT based on the well-known and industry-accepted Longley-Rice propagation prediction model*, which takes into consideration the specific terrain effects on coverage. This model was employed to predict the WTBY-TV Grade B service and the WTBY-DT NL service areas. The median 64 dBu signal predicted for WTBY-TV and the f(50,90) 41 dBu signal was predicted for WTBY-DT. A high-resolution grid of over 160,000 points was employed with a receive antenna height of 9.1 meters. There was no consideration of clutter loss factors. The N.G.D.C. 3-second (re-sampled 1-second) terrain database was employed with a terrain path increment of 0.1 kilometer. The predicted 64 dBu and 41 dBu service

* See FCC Office of Engineering and Technology Bulletin No. 65 for details on the Longley-Rice propagation model.

areas for WTBY-TV and WTBY-DT were truncated at the extent of the respective predicted FCC Grade B and NL contours.

The results of the analysis indicate that the WTBY-TV facility provides Grade B service to a population of 1,239,592 within an area of 9,249 square kilometers based on the Longley-Rice method. The WTBY-DT facility provides service to a population of 14,329,018 within an area of 19,820 square kilometers based on the Longley-Rice method. This is a difference in population of 13,089,426 relative to the WTBY-TV Grade B service area.

A comparison was made of the WTBY-TV predicted Grade B service area and the WTBY-DT predicted NL service area predicted based on the Longley-Rice method. The results indicate that the predicted WTBY-DT NL service area based on Longley-Rice will provide service to all of the population within the WTBY-TV Grade B service area with the exception a population of 28,143. Of the 28,143, a population of only 11,143 is located within the New York DMA.

Other Services Analysis

An analysis of other analog Grade B and digital NL services was conducted using the predicted Grade B contour of WTBY-TV and the predicted Grade B/NL contours of all other full-service licensed analog and digital television stations with predicted contours overlapping the Grade B contour of WTBY-TV. The Grade B/NL contours were calculated according to the conventional methods outlined in Section 73.684 of the FCC Rules using the U.S.G.S. 3-second terrain database. The FCC CDBS Engineering Database was the source of the technical information for the stations under study.

The predicted contours of the subject stations were projected on a map and a count of other television services throughout the WTBY-TV Grade B contour area was made. The population was analyzed using the 2000 Census block data and area was analyzed through numerical integration. Figure 3 is a map showing the predicted

WTBY-TV Grade B contour and the other Grade B/NL television services. Figure 4 is a tabulation of the full-service licensed television stations considered in the analysis.

The table below summarizes the results of the analysis:

	Other Analog and Digital Television Services Available						Total within WTBY-TV Grade B
	0	1	2	3	4	5 or more	
Population (2000)	0 (0.0%)	0 (0.0%)	63,047 (1.0%)	44,296 (0.7%)	10,627 (0.2%)	5,941,674 (98.1%)	6,059,644 (100%)
Area (sq. km)	0 (0.0%)	0 (0.0%)	1,725 (7.2%)	1,022 (4.2%)	321 (1.3%)	21,002 (87.3%)	24,070 (100%)

A study was also conducted of just other analog full-service television services available within the WTBY-TV Grade B contour. The results of this study is summarized below:

	Other Full-Service Analog Television Services Available						Total within WTBY-TV Grade B
	0	1	2	3	4	5 or more	
Population (2000)	82,467 (1.4%)	53,496 (0.9%)	48,471 (0.8%)	53,968 (0.9%)	88,965 (1.5%)	5,732,277 (94.5%)	6,059,644 (100%)
Area (sq. km)	2,406 (10.0%)	1,372 (5.7%)	621 (2.6%)	1,411 (5.8%)	689 (2.8%)	17,571 (73.1%)	24,070 (100%)

An additional study was conducted taking into consideration the Longley-Rice predicted Grade B service for WTBY-TV and also considering other licensed and construction permit low power television and Class A television stations. The protected service contours were used for low power television and Class A stations as opposed to Grade B for full-service analog stations. A map showing the predicted coverage contours and service area is included herein at Figure 5. Figure 6 is a tabulation of the stations considered in this analysis. The results of the analysis are summarized in the table below:

	Other Full-Service Analog, low power television and Class A Television Services Available [†]						Total within WTBY-TV Longley-Rice Grade B Service Area
	0	1	2	3	4	5 or more	
Population (2000)	8,128 (0.7%)	50,707 (4.1%)	70,101 (5.7%)	18,246 (1.5%)	30,374 (2.4%)	1,062,036 (85.6%)	1,239,592 (100%)
Area (sq. km)	195 (2.1%)	1,035 (11.2%)	577 (6.2%)	244 (2.6%)	323 (3.5%)	6,875 (74.3%)	9,249 (100%)

As indicated above, considering the full-service analog, low power television and Class A Television stations, the predicted analog service "white area" for WTBY-TV is limited to a population of 8,128 within an area of 195 square kilometers. However, as indicated above, considering all full-service licensed digital services, there will be no areas within the WTBY-TV predicted Grade B contour with fewer than two television services available.

[†] Both licensed and construction permit facilities were considered for low power television stations and Class A television stations. See Figure 6.

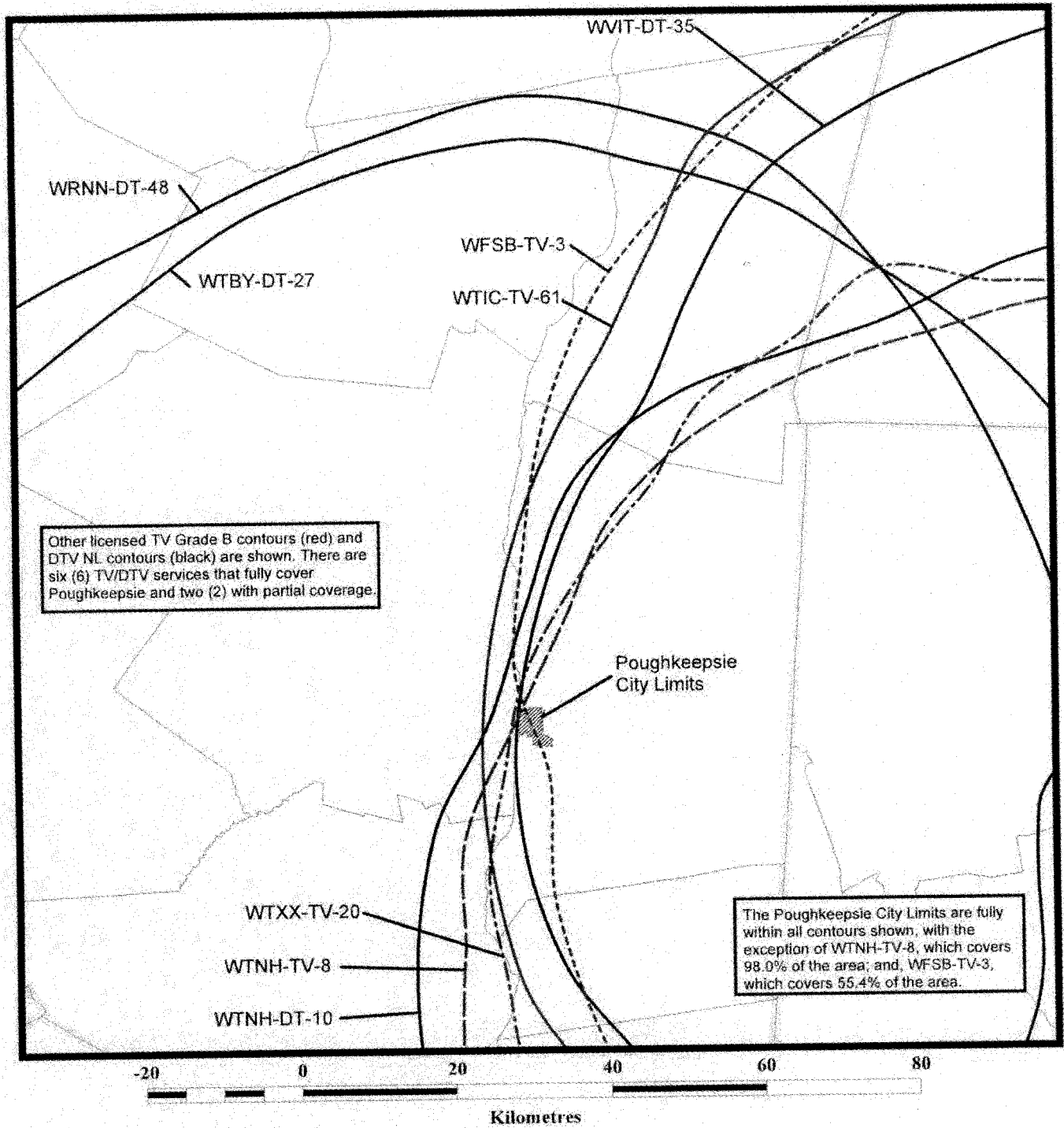
This statement was prepared by me or under my direction and it is true and correct to the best of my knowledge and belief.



Louis Robert du Treil, Jr., P.E.

du Treil, Lundin & Rackley, Inc.
201 Fletcher Ave.
Sarasota, Florida 34237

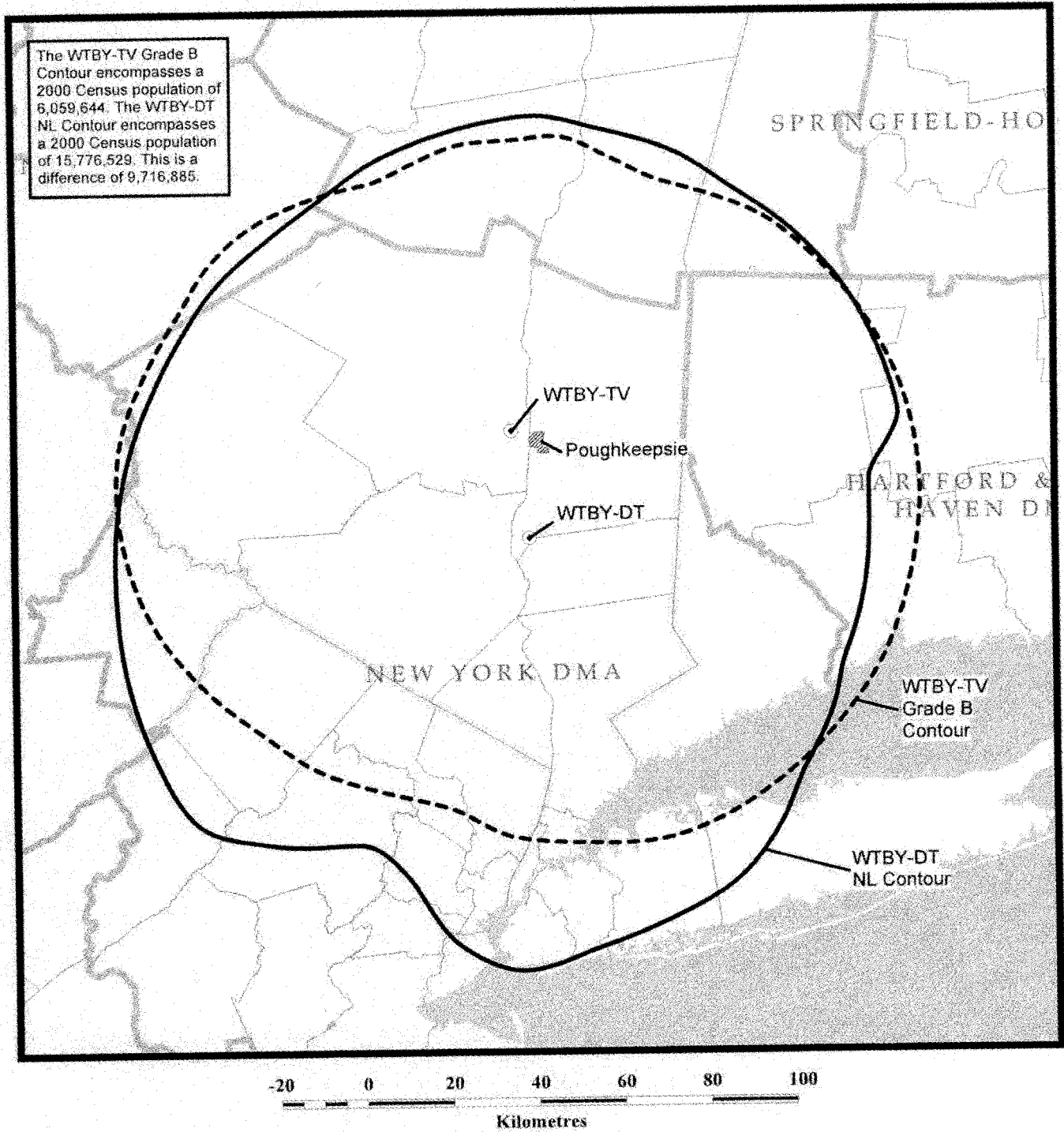
November 30, 2006



OTHER FULL-SERVICE ANALOG AND DIGITAL TELEVISION SERVICE TO POUGHKEEPSIE

duTreil, Lundin & Rackley, Inc. Sarasota, Florida

Figure 2



PREDICTED COVERAGE COMPARISON FOR WTBY-TV/DT

duTreil, Lundin & Rackley, Inc. Sarasota, Florida

ENGINEERING STATEMENT
 CONCERNING OTHER TELEVISION SERVICES ANALYSIS
 TELEVISION STATION WTBY-TV/DT
 POUGHKEEPSIE, NEW YORK

Stations Considered in Analysis of Other Full-Service Television Services

Call Sign	City	State	Status	Service	Channel
WIVT	BINGHAMTON	NY	LIC	DT	4
WBNG-T	BINGHAMTON	NY	LIC	DT	7
WICZ-T	BINGHAMTON	NY	LIC	DT	8
WTNH	NEW HAVEN	CT	LIC	DT	10
WBRE-T	WILKES-BARRE	PA	LIC	DT	11
WNYT	ALBANY	NY	LIC	DT	12
WYOU	SCRANTON	PA	LIC	DT	13
WMBC-T	NEWTON	NJ	LIC	DT	18
WLIW	GARDEN CITY	NY	LIC	DT	22
WFTY-T	SMITHTOWN	NY	LIC	DT	23
WTEN	ALBANY	NY	LIC	DT	26
WTBY-T	POUGHKEEPSIE	NY	LIC	DT	27
WFME-T	WEST MILFORD	NJ	LIC	DT	29
WSWB	SCRANTON	PA	LIC	DT	31
WQPX	SCRANTON	PA	LIC	DT	32
WFSB	HARTFORD	CT	LIC	DT	33
WHPX	NEW LONDON	CT	LIC	DT	34
WMHT	SCHENECTADY	NY	LIC	DT	34
WVIT	NEW BRITAIN	CT	LIC	DT	35
WCTX	NEW HAVEN	CT	LIC	DT	39
WXTV	PATERSON	NJ	LIC	DT	40
WVIA-T	SCRANTON	PA	LIC	DT	41
WSKG-T	BINGHAMTON	NY	LIC	DT	42
WCWN	SCHENECTADY	NY	LIC	DT	43
WNYW	NEW YORK	NY	LIC	DT	44
WOLF-T	HAZLETON	PA	LIC	DT	45
WEDN	NORWICH	CT	LIC	DT	45
WRNN-T	KINGSTON	NY	LIC	DT	48
WNEP-T	SCRANTON	PA	LIC	DT	49
WYPX	AMSTERDAM	NY	LIC	DT	50
WEDW	BRIDGEPORT	CT	LIC	DT	52
WFUT-T	NEWARK	NJ	LIC	DT	53
WCBS-T	NEW YORK	NY	LIC	DT	56
WLNY	RIVERHEAD	NY	LIC	DT	57

ENGINEERING STATEMENT
 CONCERNING OTHER TELEVISION SERVICES ANALYSIS
 TELEVISION STATION WBY-TV/DT
 POUGHKEEPSIE, NEW YORK

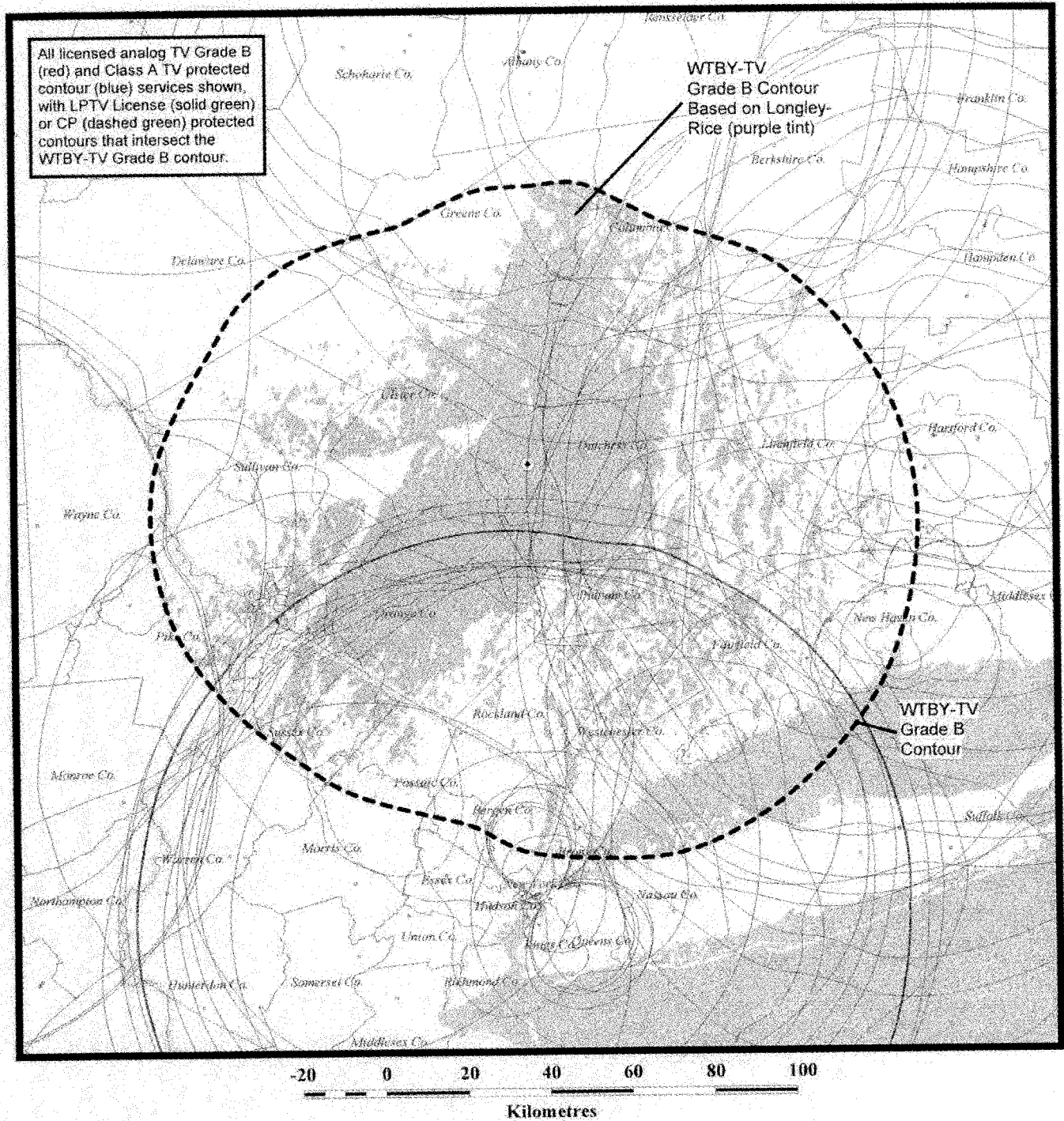
Stations Considered in Analysis of Other Full-Service Television Services

Call Sign	City	State	Status	Service	Channel
WGBY-T	SPRINGFIELD	MA	LIC	DT	58
WCBS-T	NEW YORK	NY	LIC	TV	2
WKTU	UTICA	NY	LIC	TV	2
WFSB	HARTFORD	CT	LIC	TV	3
WNBC	NEW YORK	NY	LIC	TV	4
WNYW	NEW YORK	NY	LIC	TV	5
WRGB	SCHENECTADY	NY	LIC	TV	6
WABC-T	NEW YORK	NY	LIC	TV	7
WTNH	NEW HAVEN	CT	LIC	TV	8
WWOR-T	SECAUCUS	NJ	LIC	TV	9
WTEN	ALBANY	NY	LIC	TV	10
WPIX	NEW YORK	NY	LIC	TV	11
WBNG-T	BINGHAMTON	NY	LIC	TV	12
WNYT	ALBANY	NY	LIC	TV	13
WNET	NEWARK	NJ	LIC	TV	13
WMHT	SCHENECTADY	NY	LIC	TV	17
WUVN	HARTFORD	CT	LIC	TV	18
WCDC-T	ADAMS	MA	LIC	TV	19
WTXX	WATERBURY	CT	LIC	TV	20
WLIW	GARDEN CITY	NY	LIC	TV	21
WYOU	SCRANTON	PA	LIC	TV	22
WWLP	SPRINGFIELD	MA	LIC	TV	22
WXXA-T	ALBANY	NY	LIC	TV	23
WEDH	HARTFORD	CT	LIC	TV	24
WNYE-T	NEW YORK	NY	LIC	TV	25
WHPX	NEW LONDON	CT	LIC	TV	26
WBRE-T	WILKES-BARRE	PA	LIC	TV	28
WVIT	NEW BRITAIN	CT	LIC	TV	30
WPXN-T	NEW YORK	NY	LIC	TV	31
WSWB	SCRANTON	PA	LIC	TV	38
WGGB-T	SPRINGFIELD	MA	LIC	TV	40
WXTV	PATERSON	NJ	LIC	TV	41
WSAH	BRIDGEPORT	CT	LIC	TV	43
WCWN	SCHENECTADY	NY	LIC	TV	45
WNJU	LINDEN	NJ	LIC	TV	47

ENGINEERING STATEMENT
 CONCERNING OTHER TELEVISION SERVICES ANALYSIS
 TELEVISION STATION WTBY-TV/DT
 POUGHKEEPSIE, NEW YORK

Stations Considered in Analysis of Other Full-Service Television Services

Call Sign	City	State	Status	Service	Channel
WEDW	BRIDGEPORT	CT	LIC	TV	49
WNJN	MONTCLAIR	NJ	LIC	TV	50
WNYA	PITTSFIELD	MA	LIC	TV	51
WGBY-T	SPRINGFIELD	MA	LIC	TV	57
WNJB	NEW BRUNSWICK	NJ	LIC	TV	58
WCTX	NEW HAVEN	CT	LIC	TV	59
WTIC-T	HARTFORD	CT	LIC	TV	61
WMBC-T	NEWTON	NJ	LIC	TV	63
WQPX	SCRANTON	PA	LIC	TV	64
WEDY	NEW HAVEN	CT	LIC	TV	65
WFME-T	WEST MILFORD	NJ	LIC	TV	66
WFTY-T	SMITHTOWN	NY	LIC	TV	67
WFUT-T	NEWARK	NJ	LIC	TV	68



OTHER ANALOG TELEVISION SERVICES WITH WTBY-TV GRADE B BASED ON FCC AND LONGLEY-RICE

duTreil, Lundin & Rackley, Inc. Sarasota, Florida

ENGINEERING STATEMENT
 CONCERNING OTHER TELEVISION SERVICES ANALYSIS
 TELEVISION STATION WTBY-TV/DT
 POUGHKEEPSIE, NEW YORK

Stations Considered in Analysis of Other Analog
Full-Service, Low Power and Class A Television Services

Call Sign	City	State	Status	Service	Channel
WKTV	UTICA	NY	LIC	TV	2
WCBS-T	NEW YORK	NY	LIC	TV	2
WFSB	HARTFORD	CT	LIC	TV	3
WNBC	NEW YORK	NY	LIC	TV	4
WNYW	NEW YORK	NY	LIC	TV	5
WRGB	SCHENECTADY	NY	LIC	TV	6
WNYZ-L	NEW YORK	NY	LIC	TV	6
WABC-T	NEW YORK	NY	LIC	TV	7
WTNH	NEW HAVEN	CT	LIC	TV	8
WWPS-L	HAWLEY, ETC.	PA	LIC	TX	8
WWOR-T	SECAUCUS	NJ	LIC	TV	9
WTEN	ALBANY	NY	LIC	TV	10
WPIX	NEW YORK	NY	LIC	TV	11
WFXQ-C	SPRINGFIELD	MA	LIC	TX	11
WBNG-T	BINGHAMTON	NY	LIC	TV	12
W12BH	WATERBURY	CT	LIC	TX	12
WNET	NEWARK	NJ	LIC	TV	13
WNYT	ALBANY	NY	LIC	TV	13
WMHT	SCHENECTADY	NY	LIC	TV	17
WEBR-C	MANHATTAN	NY	LIC	CA	17
W17CD	STAMFORD	CT	CP	TX	17
WUVN	HARTFORD	CT	LIC	TV	18
WCDC-T	ADAMS	MA	LIC	TV	19
WXXX	WATERBURY	CT	LIC	TV	20
W20CM	PORT JERVIS	NY	CP MOD	TX	20
WLIW	GARDEN CITY	NY	LIC	TV	21
WSSN-L	HUDSON ET AL	NY	LIC	TX	21
WWLP	SPRINGFIELD	MA	LIC	TV	22
WYOU	SCRANTON	PA	LIC	TV	22
W22BN	DANBURY	CT	LIC	TX	22
WXXA-T	ALBANY	NY	LIC	TV	23
WEDH	HARTFORD	CT	LIC	TV	24
WNYE-T	NEW YORK	NY	LIC	TV	25

ENGINEERING STATEMENT
 CONCERNING OTHER TELEVISION SERVICES ANALYSIS
 TELEVISION STATION WTBY-TV/DT
 POUGHKEEPSIE, NEW YORK

Stations Considered in Analysis of Other Analog
Full-Service, Low Power and Class A Television Services

Call Sign	City	State	Status	Service	Channel
WHPX	NEW LONDON	CT	LIC	TV	26
WNXY-L	NEW YORK	NY	LIC	TX	26
W26DB	PORT JERVIS	NY	CP MOD	TX	26
W27AL	MONTICELLO	NY	LIC	TX	27
W27CD	STAMFORD	CT	LIC	TX	27
WBRE-T	WILKES-BARRE	PA	LIC	TV	28
W28AJ	ALLINGTOWN	CT	LIC	CA	28
WVIT	NEW BRITAIN	CT	LIC	TV	30
W30AZ	LIBERTY	NY	CP	TX	30
WPXN-T	NEW YORK	NY	LIC	TV	31
WXNY-L	NEW YORK	NY	LIC	TX	32
W32DC	PORT JERVIS	NY	CP	TX	32
W34DI	PORT JERVIS	NY	CP MOD	TX	34
WNYX-L	NEW YORK	NY	LIC	TX	35
W36AZ	SUSSEX	NJ	CP	TX	35
WSWB	SCRANTON	PA	LIC	TV	38
WHCT-L	HARTFORD/NEW HA...	CT	LIC	TX	38
WNYN-L	NEW YORK	NY	LIC	TX	39
WGGB-T	SPRINGFIELD	MA	LIC	TV	40
WXTV	PATERSON	NJ	LIC	TV	41
WVBG-L	GREENWICH	NY	CP	TX	41
W42AE	POUGHKEEPSIE	NY	LIC	TX	42
W42CX	PORT JERVIS	NY	CP	TX	42
WSAH	BRIDGEPORT	CT	LIC	TV	43
WCWN	SCHENECTADY	NY	LIC	TV	45
W46DQ	PORT JERVIS	NY	CP MOD	TX	46
WNJU	LINDEN	NJ	LIC	TV	47
WRNT-L	HARTFORD	CT	CP MOD	TX	48
WEDW	BRIDGEPORT	CT	LIC	TV	49
WNJN	MONTCLAIR	NJ	LIC	TV	50
WRDM-L	HARTFORD	CT	LIC	CA	50
WNYA	PITTSFIELD	MA	LIC	TV	51
W51BN	WHITE LAKE	NY	LIC	TX	51
WNHX-L	NEW HAVEN	CT	LIC	TX	51

ENGINEERING STATEMENT
 CONCERNING OTHER TELEVISION SERVICES ANALYSIS
 TELEVISION STATION WTBV-TV/DT
 POUGHKEEPSIE, NEW YORK

Stations Considered in Analysis of Other Analog
Full-Service, Low Power and Class A Television Services

Call Sign	City	State	Status	Service	Channel
WNHX-L	NEW HAVEN	CT	CP	TX	51
W52DW	PORT JERVIS	NY	CP MOD	TX	52
W55DK	PORT JERVIS	NY	CP MOD	TX	55
WGBY-T	SPRINGFIELD	MA	LIC	TV	57
WRNN-L	NYACK	NY	LIC	TX	57
WNJB	NEW BRUNSWICK	NJ	LIC	TV	58
WCTX	NEW HAVEN	CT	LIC	TV	59
W59EA	PORT JERVIS	NY	CP	TX	59
W60AI	NEW YORK	NY	LIC	TX	60
WTIC-T	HARTFORD	CT	LIC	TV	61
WMBC-T	NEWTON	NJ	LIC	TV	63
WQPX	SCRANTON	PA	LIC	TV	64
WASA-L	PORT JERVIS	NY	CP MOD	TX	64
WEDY	NEW HAVEN	CT	LIC	TV	65
W65DZ	BRIDGEPORT	CT	LIC	TX	65
WFME-T	WEST MILFORD	NJ	LIC	TV	66
WFTY-T	SMITHTOWN	NY	LIC	TV	67
WFUT-T	NEWARK	NJ	LIC	TV	68

EXHIBIT 2

LETTER FROM QUALCOMM



QUALCOMM Incorporated

2001 Pennsylvania Ave., NW ■ Suite 650 ■ Washington, DC 20006 ■ Tel: 202.263.0020

www.qualcomm.com

December 1, 2006

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Station WTBY-TV
Facility ID No. 67993
Poughkeepsie, NY

Dear Ms. Dortch:

On behalf of QUALCOMM Incorporated ("QUALCOMM"), I am writing in connection with a request (the "Request") to be filed by Trinity Broadcasting of New York, Inc. ("Trinity"), the licensee of analog TV station WTBY-TV, NTSC Channel 54, and licensee of DTV station WTBY-DT, Channel 27, Poughkeepsie, NY to: (i) cease analog broadcasting on NTSC Channel 54; and (ii) thereafter operate WTBY-DT as a single channel digital-only television station on DTV Channel 27.

Trinity states that a grant of the Request would allow QUALCOMM, which holds licenses for Channel 55 (Block D in the Lower 700 MHz Band) covering the area served by WTBY-TV, along with the rest of the nation, to use its spectrum to deploy and operate MediaFLO, a "mediacast" service delivering many channels of high-quality multimedia content to third generation wireless phones, without causing any interference to WTBY's broadcasts, which will be aired solely on WTBY-DT. These statements, along with the other statements in the Request relating to QUALCOMM, are true and correct.

A grant of the Request as expeditiously as possible will greatly assist QUALCOMM's efforts to launch its innovative MediaFLO network. The Commission staff should contact me if any additional information is needed in the course of processing the Request.

Respectfully submitted,

/s/ Dean R. Brenner

Dean R. Brenner
Vice President, Government Affairs
QUALCOMM Incorporated