

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:)	
)	
Time Warner Entertainment Co., L.P.)	CSR-6698-A
d/b/a Time Warner Cable)	
)	
For Modification of the Green Bay-Appleton,)	
Wisconsin DMA		

MEMORANDUM OPINION AND ORDER

Adopted: September 8, 2005

Released: September 9, 2005

By the Deputy Chief, Policy Division, Media Bureau:

I. INTRODUCTION

1. Time Warner Entertainment Co., L.P., d/b/a time Warner Cable (“Time Warner”), filed the above-captioned petition for special relief seeking to modify the Green Bay-Appleton, Wisconsin designated market area (“DMA”) with respect to station WWAZ-TV (Ch. 68), Fond du Lac, Wisconsin (“WWAZ-TV”). Specifically, Time Warner requests that WWAZ-TV be excluded, for purposes of the cable television mandatory broadcast signal carriage rules, from 63 communities served by its Green Bay system, its Marinette system and its Poy Sippi system.¹ An opposition to this petition was filed on behalf of WMMF License, LLC, licensee of WWAZ-TV, to which Time Warner replied. For the reasons stated below, we grant Time Warner’s request in part, but otherwise deny its request.

II. BACKGROUND

2. Pursuant to Section 614 of the Communications Act and implementing rules adopted by the Commission in *Implementation of the Cable Television Consumer Protection and Competition Act of 1992, Broadcast Signal Carriage Issues (“Must Carry Order”)*, commercial television broadcast stations are entitled to assert mandatory carriage rights on cable systems located within the station’s market.² A station’s market for this purpose is its “designated market area,” or DMA, as defined by Nielsen Media Research.³ A DMA is a geographic market designation that defines each television market exclusive of

¹See Appendix A.

²8 FCC Rcd 2965, 2976-2977 (1993).

³Section 614(h)(1)(C) of the Communications Act, as amended by the Telecommunications Act of 1996, provides that a station’s market shall be determined by the Commission by regulation or order using, where available, commercial publications which delineate television markets based on viewing patterns. *See* 47 U.S.C. §534(h)(1)(C). Section 76.55(e) requires that a commercial broadcast television station’s market be defined by
(continued...)

others, based on measured viewing patterns. Essentially, each county in the United States is allocated to a market based on which home-market stations receive a preponderance of total viewing hours in the county. For purposes of this calculation, both over-the-air and cable television viewing are included.⁴

3. Under the Act, however, the Commission is also directed to consider changes in market areas. Section 614(h)(1)(C) provides that the Commission may:

with respect to a particular television broadcast station, include additional communities within its television market or exclude communities from such station's television market to better effectuate the purposes of this section.⁵

In considering such requests, the 1992 Cable Act provides that:

the Commission shall afford particular attention to the value of localism by taking into account such factors as –

- (I) whether the station, or other stations located in the same area, have been historically carried on the cable system or systems within such community;
- (II) whether the television station provides coverage or other local service to such community;
- (III) whether any other television station that is eligible to be carried by a cable system in such community in fulfillment of the requirements of this section provides news coverage of issues of concern to such community or provides carriage or coverage of sporting and other events of interest to the community;
- (IV) evidence of viewing patterns in cable and noncable households within the areas served by the cable system or systems in such community.⁶

The legislative history of the provision states that:

where the presumption in favor of [DMA] carriage would result in cable subscribers losing access to local stations because they are outside the [DMA] in which a local cable system operates, the FCC may make an adjustment to include or exclude particular communities from a television station's market consistent with Congress' objective to ensure that television stations be carried in the area in which they serve and which form their economic market.

(...continued from previous page)

Nielsen Media Research's DMAs. 47 C.F.R. § 76.55(e); see *Definition of Markets for Purposes of the Cable Television Broadcast Signal Carriage Rules*, 14 FCC Rcd 8366 (1999) ("Modification Final Report and Order").

⁴For a more complete description of how counties are allocated, see Nielsen Media Research's *Nielsen Station Index: Methodology Techniques and Data Interpretation*.

⁵47 U.S.C. §534(h)(1)(C).

⁶*Id.*

* * * *

[This subsection] establishes certain criteria which the Commission shall consider in acting on requests to modify the geographic area in which stations have signal carriage rights. These factors are not intended to be exclusive, but may be used to demonstrate that a community is part of a particular station's market.⁷

In adopting rules to implement this provision, the Commission indicated that requested changes should be considered on a community-by-community basis rather than on a county-by-county basis, and that they should be treated as specific to particular stations rather than applicable in common to all stations in the market.⁸

4. In the *Modification Final Report and Order*, the Commission, in an effort to promote administrative efficiency, adopted a standardized evidence approach for modification petitions that requires the following evidence be submitted:

(1) A map or maps illustrating the relevant community locations and geographic features, station transmitter sites, cable system headend locations, terrain features that would affect station reception, mileage between the community and the television station transmitter site, transportation routes and any other evidence contributing to the scope of the market.

(2) Grade B contour maps delineating the station's technical service area and showing the location of the cable system headends and communities in relation to the service areas.

Note to Paragraph (b)(2): Service area maps using Longley-Rice (version 1.2.2) propagation curves may also be included to support a technical service exhibit.⁹

(3) Available data on shopping and labor patterns in the local market.

(4) Television station programming information derived from station logs or the local edition of the television guide.

(5) Cable system channel line-up cards or other exhibits establishing historic carriage, such as television guide listings.

⁷H.R. Rep. 102-628, 102d Cong., 2d Sess. 97 (1992).

⁸*Must Carry Order*, 8 FCC Rcd 2965, 2977 n.139.

⁹The Longley-Rice model provides a more accurate representation of a station's technical coverage area because it takes into account such factors as mountains and valleys that are not specifically reflected in a traditional Grade B contour analysis. In situations involving mountainous terrain or other unusual geographical features, Longley-Rice propagation studies can aid in determining whether or not a television station actually provides local service to a community under factor two of the market modification test.

(6) Published audience data for the relevant station showing its average all day audience (i.e., the reported audience averaged over Sunday-Saturday, 7 a.m.-1 a.m., or an equivalent time period) for both cable and noncable households or other specific audience indicia, such as station advertising and sales data or viewer contribution records.¹⁰

Petitions for special relief to modify television markets that do not include the above evidence shall be dismissed without prejudice and may be re-filed at a later date with the appropriate filing fee. The *Modification Final Report and Order* provides that parties may continue to submit whatever additional evidence they deem appropriate and relevant.

III. DISCUSSION

5. The issue before us is whether to grant Time Warner's request to exclude WWAZ-TV from mandatory carriage in the subject communities. All of the communities at issue are located in the Green Bay-Appleton DMA, as is WWAZ-TV, which is licensed to Fond du Lac, Wisconsin. Considering all of the relevant factual circumstances in the record, we believe that the market modification petition is a legitimate request to redraw DMA boundaries to make them congruous with market realities

6. Time Warner states that the Green Bay-Appleton DMA is the 68th largest television market, encompassing 15 Wisconsin counties and one Michigan county.¹¹ Time Warner notes that WWAZ-TV first began operation on March 1, 1995, but then went dark and did not resume operations until December 4, 2000.¹² Time Warner states that according to WWAZ-TV's predicted service contour maps the station's transmitter site is located approximately 35 kilometers south of Fond du Lac, its city of license.¹³ Time Warner maintains that it is clear from the orientation of WWAZ-TV's directional antenna pattern that the station's principal focus is the Milwaukee area and not the Green Bay-Appleton DMA. Indeed, Time Warner states, WWAZ-TV's transmitter is located in Dodge County, which is assigned to the Milwaukee DMA. WWAZ-TV argues in opposition that because it is licensed to Fond du Lac, Wisconsin, it is part of the Green Bay-Appleton DMA. Moreover, Time Warner mistakenly asserts that WWAZ-TV has been in operation since 1995.¹⁴ WWAZ-TV states that it did not receive its initial license until June 11, 2001, but, due to local opposition and other factors, did not receive authorization to construct its full power facilities until June 7, 2004 and did not begin broadcasting with full power facilities until October 13, 2004.¹⁵ Because it has only operated at full power for less than 8 months, WWAZ-TV maintains that it must be considered a new station for the purposes of this proceeding. WWAZ-TV also asserts that grant of Time Warner's request would damage the long-term viability of a new, independent station. In reply, Time Warner argues that when Congress adopted the 1992 Cable Act and made provision for the filing of market modification petitions, it did not exclude "new" stations from

¹⁰47 C.F.R. §76.59(b).

¹¹Modification at 3.

¹²*Id.*

¹³*Id.* at Attachment 2.

¹⁴Opposition at 2.

¹⁵ *Id.* citing FCC File Nos. BMPCT-2000503ABG & BLCT-20001211AEA and BMPCT20031231ABA & BLCT-20041018ABF.

that process nor incorporate the concept of economic viability into the market modification factors.¹⁶

7. The first statutory factor we must consider is “whether the station, or other stations located in the same area, have been historically carried on the cable system or systems within such community.”¹⁷ Time Warner states that WWAZ-TV has no history of carriage on any of the subject systems.¹⁸ Time Warner argues that WWAZ-TV’s lack of carriage during its operational history is due to the fact that the subject communities are all located outside the scope of WWAZ-TV’s natural market. Time Warner states that the fact that WWAZ-TV has never been carried demonstrates the station’s lack of nexus to the communities.¹⁹ WWAZ-TV argues that although it has no history of carriage on Time Warner’s systems, this factor should not be given any weight.²⁰ WWAZ-TV argues that it has only been operating at full power for less than a year and has had no chance to establish carriage.²¹ In addition, WWAZ-TV notes that the Commission has long discounted lack of historic carriage when considering the rights of religious stations, foreign language stations and other “specialty” stations.²² As a station that broadcasts religious programming, WWAZ-TV argues that excluding Time Warner’s communities would obviate Congressional intent by hindering the development of a new specialty station. Time Warner argues in reply that, given the statutory directives, the historic carriage factor must be considered even though it may not be outcome determinative itself.²³

8. Second, we consider “whether the television station provides coverage or other local service to such community.”²⁴ Time Warner states that many of the system communities are located substantial distances from Fond du Lac, WWAZ-TV’s city of license, ranging from 30 to 102 miles.²⁵ In addition, because WWAZ-TV has located its transmitter site well south of the heart of the Green Bay market, Time Warner argues that distances between that location and the communities is of decisional significance. As a result, Time Warner states that it commissioned an engineering report that indicated that these distances range from 39 to 125 miles.²⁶ Time Warner notes that the Commission has previously recognized in market modification cases that distance can attenuate the local ties between a station and communities, even though they may be located in the same DMA. Time Warner maintains that the distances here are comparable to other cases where the Commission has granted market modification.²⁷ In

¹⁶Reply at 3, citing 47 U.S.C. § 534(h)(1)(C); see also *Hispanic Broadcasters of Philadelphia, L.L.C.*, 19 FCC Rcd 2609, 2615 (2004).

¹⁷47 U.S.C. §534(h)(1)(C).

¹⁸Modification at 6.

¹⁹*Id.*

²⁰Opposition at 5.

²¹*Id.*, citing e.g., *CharterCommunications Properties LP*, 19 FCC Rcd 8655, 8663 (2004); *Time Warner Entertainment Co., L.P.*, 12 FCC Rcd 22069, 22077 (1997); *Time Warner Cable*, 11 FCC Rcd 8047, 8053-54 (1996).

²²*Id.*, citing *Nationwide Communications, Inc.*, 10 FCC Rcd 13040, 13043 (1995); *Family Stations, Inc.*, 18 FCC Rcd 22916, 2292 (2003).

²³Reply at 4, citing *Comcast Cable Communications, LLC*, DA 05-1603 (rel. June 7, 2005) at para. 14.

²⁴47 U.S.C. §534(h)(1)(C).

²⁵Modification at Attachments 3A-3I and 4A-4I.

²⁶*Id.* at Attachment 5.

²⁷*Id.* at 8, citing *Time Warner Entertainment-Advance/Newhouse Partnership*, 16 FCC Rcd 15279 (2001)
(continued...)

addition to distance, Time Warner points out that, with the exception of certain areas within the Town and Village of Stockbridge, WWAZ-TV fails to provide Grade B coverage to the subject communities.²⁸ Moreover, Time Warner states that WWAZ-TV is not operating with the maximum facilities available under the Commission's engineering rules.²⁹ In addition, Time Warner argues that WWAZ-TV provides no local programming.³⁰ Instead, WWAZ-TV's program schedule indicates that the station broadcasts national syndicated news, public affairs and entertainment programming.³¹ Finally, Time Warner states that not only is WWAZ-TV not listed in local television listings for the communities, but, to Time Warner's knowledge, is not carried by any other cable operator in the Green Bay DMA.³²

9. WWAZ-TV argues that Time Warner's contention that the subject communities are too distant from WWAZ-TV is misplaced. WWAZ-TV notes that Time Warner's Green Bay system carries a station licensed to Milwaukee, Wisconsin which is not only farther away from the communities than WWAZ-TV, but also licensed to a different DMA.³³ In fact, WWAZ-TV argues, most of the communities served by Time Warner are 60 miles or less from Fond du Lac.³⁴ WWAZ-TV maintains that the Commission has repeatedly refused to exclude communities even more distant than the case here.³⁵ WWAZ-TV argues further that although it concedes that it does not provide a Grade B signal to most of the subject communities, the relatively short distances between the city of license and the communities is a clear indication that they are part of the same market.³⁶ In any event, WWAZ-TV asserts that its ability to maximize its Grade B contour has been hampered by local opposition to the construction of a tower tall enough to allow WWAZ-TV to reach its full potential.³⁷ Finally, WWAZ-TV maintains that its broadcast

(...continued from previous page)

(42 miles); *Greater Worcester Cablevision, Inc.*, 12 FCC Rcd 17347 (1997), *app. for rev. denied*, 16 FCC Rcd 4942 (2001) (38-61 miles); *Cablevision Systems Corporation*, 11 FCC Rcd 6453 (1996) (40, 42 & 45 miles); *Continental Cablevision of Western New England, Inc.*, 11 FCC Rcd 6488 (1996) (43, 45-69 miles); *Time Warner Cable*, 12 FCC Rcd 23249 (1996) (42-58 miles); *TKR Cable Company*, 12 FCC Rcd 3525 (1997) (42, 75 miles); *Cablevision of Cleveland, L.P., and V Cable, Inc.*, 11 FCC Rcd 18034 (1996) (41-85 miles).

²⁸*Id.*

²⁹*Id.* According to the engineering report submitted by Time Warner, WWAZ-TV's Grade B contour encompasses only 51 percent of the Town of Stockbridge and 33 percent of the Village of Stockbridge. In both cases coverage is land only.

³⁰*Id.* at 9.

³¹*Id.* at Attachment 6.

³²*Id.* at 10 and Attachment 8.

³³Opposition at 6.

³⁴*Id.* WWAZ-TV states that Poy Sippi and nearly half the communities in the Green Bay system are less than 40 miles from Fond du Lac and three quarters of all of the communities are within 60 miles.

³⁵*Id.*, citing *Time Warner Entertainment-Advance/Newhouse Partnership*, 13 FCC Rcd 5900 (1997) (75 miles); *Erie County Cablevision, Inc.*, 13 FCC Rcd 6403 (1988) (66 miles); *Rifkin & Associates, Inc.*, 12 FCC Rcd 22080 (1997) (45-71 miles); *TWI Cable, Inc.*, 12 FCC Rcd 13187 (1997) (85 miles); *Panhandle Telecasting Co.*, 12 FCC Rcd 884 (1997) (108 miles).

³⁶*Id.* WWAZ-TV points out that the city of Fond du Lac and all of the Time Warner communities are classified as part of the same "Major Trading Area," as defined by Rand McNally. See *Rand McNally 1996 Commercial Atlas & Marketing Guide*, 127th Ed., 36-39 (1996).

³⁷*Id.* at 7.

of approximately 100 hours per week of religious and values-based programming is of great benefit to the communities and WWAZ-TV is unique in this regard.³⁸

10. In reply, Time Warner states that it demonstrated in its petition that WWAZ-TV's transmitter site is located approximately 35 kilometers south of Fond du Lac; is in a county assigned to a different DMA; and its directional antenna pattern is oriented away from the Green Bay market.³⁹ WWAZ-TV's only explanation for its failure to fully serve its home DMA is to blame local opposition to construction of a taller tower at the licensed transmitter site.⁴⁰ Time Warner argues, however, that in 2003, when the current site for WWAZ-TV was selected, there were no engineering constraints that relegated WWAZ-TV to a transmitter site so far distant from its city of license and the core of its DMA.⁴¹ Time Warner notes that although WWAZ-TV acknowledges that Green Bay and Appleton "constitute the demographic and economic centers of the DMA," it still chose to locate its transmitter site as far from the center of the DMA as possible.⁴² Further, while WWAZ-TV attempts to minimize its lack of a Grade B signal by pointing to the carriage of a more distant Milwaukee station, Time Warner maintains that the issue is not what other stations its systems carry, but whether WWAZ-TV's television market encompasses the subject communities.⁴³ In any event, Time Warner argues, carriage of other market stations that do not provide Grade B coverage does not prevent a system from exercising its statutory right to seek market modification.⁴⁴ With regard to programming, Time Warner points to only one single announcement of an event possibly relevant to 2 of over 60 communities during its 8 months on-the-air.⁴⁵ Time Warner states that, as a result, WWAZ-TV has failed to establish that it provides any programming with a particular focus for the communities. Moreover, Time Warner argues, there is no evidence that WWAZ-TV's specialized religious and values-based programming is local to any of the communities at issue.⁴⁶ Regardless, it is well settled that the Commission's must carry rules are content neutral and thus religious programming has no special relevance to the outcome of a market modification case.⁴⁷ Finally, Time Warner argues that the closer distances between Fond du Lac and the communities is irrelevant when there are no documented programming ties to Fond du Lac, but instead to a more distant transmitter site.⁴⁸

11. The third statutory factor we must consider is "whether any other television station that is eligible to be carried by a cable system in such community in fulfillment of the requirements of this section provides news coverage of issues of concern to such community or provides carriage or coverage

³⁸*Id.* WWAZ-TV states that it also broadcasts a weekly local public interest program entitled "Community Showcase" which covers topics such as local blood drives and local events and "Community Calendar" which listed information relevant to at least two of Time Warner's communities.

³⁹Reply at 4, citing Modification at 3 and Attachment 2.

⁴⁰*Id.*, citing Opposition at 2, 6.

⁴¹*Id.*, citing attached Engineering Statement.

⁴²*Id.* at 5, citing Opposition at 4.

⁴³*Id.* at 5.

⁴⁴*Id.*, citing *Comcast Cablevision of Corporation of California LLC*, 17 FCC Rcd 15626, 15631 (2002).

⁴⁵*Id.* at 6.

⁴⁶*Id.*

⁴⁷*Id.* at 7, citing *Texas Cable Partners, L.P., d/b/a Paragon Cable*, 15 FCC Rcd 21429, 21436 (2000).

⁴⁸*Id.* at 7.

of sporting and other events of interest to the community.”⁴⁹ Time Warner states that the cable systems serving the subject communities currently carry several stations licensed to communities within the Green Bay DMA.⁵⁰ Time Warner states that these stations broadcast local news throughout the day and subscribers in the subject communities enjoy a wide range of news, sports, public affairs and public service coverage.⁵¹ Time Warner points out that, in the past, when a distant station proposed for deletion was not providing local service to the communities, the Commission has accorded evidentiary weight to the local coverage provided by other stations.⁵² WWAZ-TV argues that not only did Time Warner not show how the programming carried by other stations specifically targeted it communities, but the information provided only emphasized the fact that none of the other stations carried by the systems provide the breadth or depth of religious and faith-based programming provided by WWAZ-TV.⁵³ In any event, WWAZ-TV contends that the fact that certain stations in the market provide service to the communities in question should not operate to exclude new stations that would provide additional service to the communities.⁵⁴ Time Warner maintains that there is no merit to WWAZ-TV’s argument that the subject cable systems carry local stations.⁵⁵ Time Warner states that it is clear from their program schedules that the market core stations it carries provide a plethora of local news, sports, weather and public service programming.⁵⁶

12. The fourth statutory factor concerns “evidence of viewing patterns in cable and noncable households within the areas served by the cable system or systems in such community.”⁵⁷ Time Warner states that, to its knowledge, WWAZ-TV fails to meet Nielsen’s minimum reporting standards to qualify for Nielsen’s report for the Green Bay-Appleton DMA.⁵⁸ Time Warner argues that this dearth of viewers is consistent with the station’s lack of Grade B coverage and is of evidentiary significance. WWAZ-TV argues that, just as the Commission will discount historic carriage as a controlling factor against a new or specialty station, ratings cannot be given substantial consideration either.⁵⁹ WWAZ-TV states that this is particularly true when it has been operating with full power facilities for less than a year and therefore has not had enough time to generate significant ratings. Just as with historic carriage, Time Warner maintains that, while this factor may not be outcome determinative by itself, it still must be considered in the market modification analysis.⁶⁰

13. Section 614(h)(1)(C) of the Communications Act authorizes the Commission to include or exclude particular communities from a television station’s market for the purpose of ensuring that a

⁴⁹47 U.S.C. §534(h)(1)(C).

⁵⁰Modification at Attachment 9.

⁵¹*Id.* at Attachment 8.

⁵²*Id.*, citing *Avenue TV Cable Service, Inc.* 16 FCC Rcd 16436, 16445 (2001).

⁵³Opposition at 8.

⁵⁴*Id.*, citing *Paragon Cable*, 10 FCC Rcd 13133, n. 24 (1995).

⁵⁵Reply at 7.

⁵⁶*Id.* at 8.

⁵⁷47 U.S.C. §534(h)(1)(C).

⁵⁸Modification at 11.

⁵⁹Opposition at 8, citing *Erie County Cablevision, Inc.*, 13 FCC Rcd 6403, 6411 (1998).

⁶⁰Reply at 4.

television station is carried in the areas which it serves and which form its economic market.⁶¹ Section 614(h)(1)(C)(i) specifically and unambiguously directs the Commission, in considering requests for market modification, to afford particular attention to the value of localism by taking four statutory factors into account.⁶² In this matter, WWAZ-TV has no history of carriage and no discernable viewership in the communities at issue. We recognize, however, that WWAZ-TV now carries specialty-like programming.⁶³ As a result, we do not afford considerable weight to this criteria. In addition, although WWAZ-TV has alleged that it provides local programming to the communities at issue, it provided no programming examples pointing to individual communities. It is also clear that WWAZ-TV is geographically distant from a portion of the communities at distances ranging from approximately 50-102 miles. For the following communities, the factors recited by Comcast do weigh in favor of its request and we will grant its request: Cities of De Pere, Green Bay, Menominee, Marinette, Peshtigo, Seymour; Towns of Bellevue, Center, Chase, Ellington, Freedom, Lawrence, Ledgeview, Little Suamico, Oneida, Osborn, Peshtigo, Pittsfield, Porterfield, Rockland, Scott and Suamico; Villages of Allouez, Ashwaubenon, Hobart and Howard, Wisconsin; and the Townships of Menominee and Ingallston, Michigan.

14. For the remaining communities, however, we find that other factors deserve more weight and we will deny Comcast's request to exclude them: Cities of Appleton, Kaukauna, Menasha, Neenah; Towns of Brillion, Buchanan, Cato, Clayton, Dale, Grand Chute, Greenville, Harrison, Holland, Kaukauna, Leon, Liberty, Medina, Menasha, Neenah, Poy Sippi, Stockbridge, Vandenbrook, Vinland, Winchester, Woodville; Villages of Combined Locks, Hilbert, Kimberly, Little Chute Village, Reedsville, St. Nazianz, Sherwood, Stockbridge, Valdars and Wrightstown, Wisconsin. Our review indicates that these communities are not only geographically closer to WWAZ-TV at distances ranging from 22-40 miles, but, according to our Longley-Rice study, the majority of communities receive Grade B coverage and the others are in close proximity. Moreover, despite Comcast's contention that WWAZ-TV's transmitter appears only to focus on the Milwaukee market, our research indicates that it provides equal focus to the Green Bay market.

⁶¹47 U.S.C. § 534(h)(1)(c).

⁶²47 U.S.C. § 534(h)(1)(C)(i).

⁶³WWMF License apparently assumed ownership of WWAZ-TV from its previous licensee, Pappas Broadcasting.

IV. ORDERING CLAUSES

15. Accordingly, **IT IS ORDERED**, pursuant to Section 614(h) of the Communications Act of 1934, as amended, 47 U.S.C. §534, and Section 76.59 of the Commission's rules, 47 C.F.R. §76.59, that the captioned petition for special relief (CSR-6698-A), filed by Time Warner Entertainment Co., L.P., d/b/a Time Warner Cable **IS DENIED** for the Cities of Appleton, Kaukauna, Menasha, Neenah; Towns of Brillion, Buchanan, Cato, Clayton, Dale, Grand Chute, Greenville, Harrison, Holland, Kaukauna, Leon, Liberty, Median, Menasha, Neenah, Poy Sippi, Stockbridge, Vandebrook, Vinland, Winchester, Woodville; Villages of Combined Locks, Hilbert, Kimberly, Little Chute, Reedsville, St. Nazianz, Sherwood, Stockbridge, Valders and Wrightstown, Wisconsin and **IS OTHERWISE GRANTED**.

16. This action is taken pursuant to authority delegated by Section 0.283 of the Commission's rules.⁶⁴

FEDERAL COMMUNICATIONS COMMISSION

Steven A. Broeckaert
Deputy Chief, Policy Division
Media Bureau

⁶⁴47 C.F.R. §0.283.

Appendix A

<u>Green Bay System</u>	<u>Dist. To Fond du Lac</u> (where available)	<u>Dist. To Transmitter</u>
Appleton (city), WI	34 miles (55 km)	54 miles (87 km)
De Pere (city), WI	50 miles (80 km)	68 miles (109 km)
Green Bay (city), WI	56 miles (91 km)	75 miles (121 km)
Kaukauna (city), WI	36 miles (58 km)	56 miles (90 km)
Menasha (city), WI	30 miles (49 km)	77 miles (124 km)
Neenah (city), WI	27 miles (24 km)	73 miles (117 km)
Seymour (city), WI	52 miles (83 km)	73 miles (117 km)
Bellevue (town), WI	53 miles (86 km)	73 miles (117 km)
Brillion (town), WI	34 miles (54 km)	51 miles (82 km)
Buchanan (town), WI		57 miles (92 km)
Cato (town), WI	39 miles (62 km)	52 miles (84 km)
Center (town), WI		61 miles (98 km)
Chase (town), WI	67 miles (107 km)	86 miles (138 km)
Clayton (town), WI		49 miles (79 km)
Dale (town), WI	36 miles (59 km)	55 miles (88 km)
Ellington (town), WI		61 miles (98 km)
Freedom (town), WI	43 miles (69 km)	62 miles (100 km)
Grand Chute (town), WI		55 miles (88 km)
Greenville (town), WI	37 miles (59 km)	55 miles (88 km)
Harrison (town), WI	26 miles (42 km)	48 miles (77 km)
Holland (town), WI	36 miles (57 km)	57 miles (92 km)
Kaukauna (town), WI	36 miles (58 km)	59 miles (95 km)
Lawrence (town), WI	55 miles (89 km)	64 miles (103 km)
Ledgeview (town), WI		70 miles (113 km)
Liberty (town), WI		46 miles (74 km)
Little Suamico (town), WI	69 miles (111 km)	86 miles (138 km)
Medina (town), WI	36 miles (58 km)	57 miles (92 km)
Menasha (town), WI	30 miles (49 km)	77 miles (124 km)
Neenah (town), WI	27 miles (24 km)	72 miles (116 km)
Oneida (town), WI	51 miles (82 km)	66 miles (106 km)
Osborn (town), WI		67 miles (108 km)
Pittsfield (town), WI	58 miles (93 km)	79 miles (127 km)
Rockland (town), WI		66 miles (106 km)
Scott (town), WI		82 miles (132 km)
Stockbridge (town), WI	22 miles (35 km)	39 miles (63 km)*
Suamico (town), WI	63 miles (101 km)	80 miles (129 km)
Vandenbrook (town), WI		58 miles (98 km)
Vinland (town), WI		45 miles (72 km)
Winchester (town), WI	31 miles (50 km)	49 miles (79 km)
Woodville (town), WI		49 miles (79 km)
Allouez Village, WI	53 miles (85 km)	73 miles (117 km)
Ashwaubenon Village, WI	52 miles (84 km)	72 miles (116 km)
Combined Locks Village, WI	35 miles (56 km)	56 miles (90 km)
Hilbert Village, WI	29 miles (47 km)	50 miles (80 km)

Hobart Village, WI		66 miles (106 km)
Howard Village, WI	58 miles (94 km)	77 miles (124 km)
Kimberly Village, WI	35 miles (56 km)	56 miles (90 km)
Little Chute Village, WI	36 miles (58 km)	58 miles (93 km)
Reedsville Village, WI	36 miles (58 km)	56 miles (90 km)
St. Nazianz Village, WI	31 miles (49 km)	47 miles (76 km)
Sherwood Village, WI	29 miles (47 km)	50 miles (80 km)
Stockbridge Village, WI	22 miles (35 km)	43 miles (69 km)**
Valders Village, WI	34 miles (55 km)	52 miles (84 km)
Wrightstown Village, WI	40 miles (65 km)	62 miles (100 km)

Marinette System

Menominee (city), MI	102 miles (163 km)	121 miles (195 km)
Marinette (city), WI	99 miles (160 km)	118 miles (190 km)
Peshtigo (city), WI	95 miles (153 km)	114 miles (183 km)
Peshtigo (town), WI	95 miles (153 km)	110 miles (177 km)
Porterfield (town), WI	101 miles (162 km)	118 miles (190 km)
Menominee Township, MI	102 miles (163 km)	121 miles (195 km)
Ingallston Township, MI		125 miles (201 km)

Poy Sippi System

Poy Sippi (town), WI	37 miles (60 km)	46 miles (74 km)
Leon (town), WI		48 miles (77 km)

*Predicted Grade B covers 51% of land only