Federal Communications Commission
Washington, D.C. 20554

August 2, 2012

Venture Technologies Group, LLC.
5670 Wilshire Blvd
Suite 1300
Los Angeles, California 90036

In re: Minor Modification of Construction Permits of:
KFMP-LP , Facility ID: 129734
BMPDVL-20120113AEE
WBPA-LD, Facility ID: 167294
BMPDVL-20110325ACT

Dear Applicant:

This is in regard to the above pending applications for minor modification of the digital flash-cut construction permit for KFMP-LP, channel 6, Lubbock, Texas, and digital companion channel construction permit for WBPA-LP, channel 6, Pittsburgh, Pennsylvania.. These applications will be dismissed based on the reasons set forth below.

According to the engineering statements submitted with the applications, Venture Technologies Group, LLC ("VTG") is proposing to use a transmission method different than the one that has been adopted for digital TV broadcasting. Specifically, VTG proposes to utilize Axcera Transmitter Bandwidth Enhancement Technology ("BET"), which can reduce the bandwidth of the proposed facilities' 8VSB transmission, to transmit an ancillary frequency modulated signal that is $\pm$ 75 KHz wide that will not interfere with the reception of the stations' ATSC transmission. According to VTG, this ancillary service would be centered at 5.7 MHz from the bottom of VTG's 6 MHz channels and outside of the primary BET Narrowband ATSC transmission. It would have a maximum ERP of 33% of the average level of the digital signal. This ancillary carrier would be duplicative with the audio carrier of the video signal of the stations on PSIP 6.2.

Section 74.795(b)(1) of the Commission's rules[1] states that a digital LPTV transmitter "shall be designed to produce digital television signals that can be satisfactorily viewed on consumer receiving equipment based on the digital broadcast television transmission standard in 73.682(d) . . .." Section 73.682(d) provides that digital broadcast television signals must comply with the standards for such transmissions set forth by the Advanced Television Systems Committee.[2] The ATSC standards require the use of 8VSB transmission on all the sub-channels, however this proposal suggests to use 8VSB standard for the primary channel and using the other sub-channel to broadcast an analog audio signal. While VTG states that no interference will occur to other stations from its proposed facilities," the Commission has not adopted rules regarding engineering protection requirements for "hybrid" analog/DTV stations to other DTV stations seeking to use Channel 6. At present, there are published D/U ratios for DTV-into-DTV and Analog-into-DTV co-channel operation, which were developed from years of testing, but there are no D/U ratios for "hybrid"-into-DTV operation. We also note that on its face, VTG's proposal is likely to increase the interference potential to co-channel DTV operations because VTG's proposal would increase the total power of its channel 6 operations by 33%. Accordingly, this type of operation proposed by VTG may reduce the number of DTV stations that might operate on channel 6 and/or reduce the populations served by those DTV stations.

[1] 47 C.F.R. § 74.795(b)(1).
[2] 47 C.F.R. § 73.682(d).

VTG also argues that letting these stations using the above method of transmission will be in public interest for variety of reasons. We note, however, that none of the decisions to which it cites, including Commission decisions adopting the digital broadcast television transmission standard and digital low power television rules, supports the grant of a digital television application that proposes a "hybrid" analog/DTV station.

Sincerely

Hossein Hashemzadeh
Deputy Chief
Video Division
Media Bureau