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Dr. Phyllis Schiffer-Simon
Director

6600 SW Nova Drive
Fort Lauderdale, Florida 33317
Phone: 754-321-1000
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VIA CERTIFIED MAIL WITH RETURN RECEIPT

JBE.
1930 Harrison Street
Hollywood, FL 33020
Attn: Must Carry

Re: WBEC-TV, Boca Raton, Florida
NCE Must Carry Request for 2009 – 2011 Cycle

Dear Sirs:

The School Board of Broward County, Florida, licensee of noncommercial educational television station WBEC-TV (formerly WPPB-TV), at Boca Raton, Florida, hereby submits its request for mandatory cable carriage on applicable community units operated by your company during the 2009 to 2011 carriage cycle.

WBEC-TV, licensed at Boca Raton, in Palm Beach County, Florida, operates in analog on Channel 63 at 5000 kW from a tower located at SW 28th Street in Pembroke Park, Florida, and places a Grade B contour over Broward County and the bulk of Dade and Palm Beach Counties. WBEC-TV presently simulcasts on its digital facilities on Channel 40 from that same location. WBEC-TV expects to transition to digital-only service on February 17, 2009, the date specified by Congress and the FCC for the industry transition.¹

In accordance with 47 CFR §§ 76.55(a) & (b) and 76.56 (a), WBEC-TV respectfully requests mandatory cable carriage on your company's community units that serve communities within Broward, Dade or Palm Beach Counties, and whose headends lie within 50 miles of the reference point of Boca Raton, Florida, or within WBEC-TV's Grade B Contour (a copy of its coverage map is attached). For your convenience, WBEC-TV has attempted to assemble a list of such community units from the FCC's list of registered and active systems (see attached community unit list). Should any applicable community unit have been omitted, or should such a community unit later be activated, WBEC-TV respectfully requests carriage on such community unit as well.

WBEC-TV as a qualified local NCE station does not believe, based on FCC and Statutory definitions, that its signal would be considered a distant signal for copyright

¹ If the community unit would prefer to commence carriage of WBEC-TV's digital signal commencing on January 1, 2009, rather than initiating cycle carriage of the analog signal on that date and then switching to digital carriage a month and a half later on the transition date, WBEC-TV would not object.

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purposes on any of your affected systems in Dade, Broward or Palm Beach counties. To the extent that you believe otherwise for any affected community unit, WBEC-TV requests that you identify the unit and the basis for such determination and provide an estimate of any expected additional annual copyright contribution obligations related to such carriage, so that WBEC-TV may assess any reimbursement obligations it would have in that regard. Additionally, WBEC-TV, as an unaffiliated qualified local noncommercial educational (NCE) television station, does not substantially duplicate the programming of any other area station. WBEC-TV believes that its strong signal will provide a good quality signal at these community unit headends, but is fully prepared to arrange for delivery of the signal to those locations if circumstances so require.

On many area systems WBEC-TV is already carried on channel 16, 19 or 24. On community units where WBEC-TV is not on one of those channels or is being carried for the first time, WBEC-TV respectfully requests that to the extent possible that it be placed on one of those preferred channels. Where such placement is not possible, WBEC-TV is most interested in carriage on each community unit on a channel that is contiguous to the other local broadcast stations and stands prepared to work with you to find a mutually acceptable channel. Additionally, as your company migrates to digital carriage and either remaps or revises the service tiers, WBEC-TV requests that efforts be made to facilitate such contiguous placement.

Please direct any inquiries regarding these matters to Chris Barch, Station Manager, WBEC-TV, 6600 SW Nova Drive, Ft. Lauderdale, Florida 33317, or to our Washington communications counsel Evan D. Carb, Esq. at (202) 293-2555.

Sincerely,

Chris Barch
Station Manager

Enclosures

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JBE
Applicable Community Units
Listed as Active on FCC Registration List

FL1302 South Florida – Broward County

FIGURE 1: WBEC-TV, Boca Raton, FL, Channel 63 Coverage Contour

