

**Before the  
FEDERAL COMMUNICATION COMMISSION  
Washington D.C. 20554**

In the Matter of:

*Sunshine State Television Network, Inc.*

File No.: BLTTA-20110128ACE

Facility ID: 10265

Call Sign: KOHC-CD

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY**

Licensee, Sunshine State Television Network, Inc. operating under call sign KOHC-CD (hereinafter “KOHC”), by its attorneys, hereby requests Special Temporary Authority to temporarily go silent while repairs and replacement to equipment is undertaken to re-establish its broadcasting services. The estimated time needed for this temporary authority is no more than ninety (90) days. KOHC-CD stands to be operational before that time period, however in the abundance of caution In support of this request, KOHC-CD states as follows:

**BACKGROUND**

KOHC-CD has given the Commission notice of suspension of operations on March 27, 2017 for a thirty (30) day period in order to replace equipment removed by a former tenant, El Nacional De Oklahoma, Inc. (“El Nacional”), who had previously operated under KOHC-CD under a Time Broker Agreement (“TBA”). The El Nacional TBA was terminated in June of 2016 by KOHC-CD for failure to pay the agreed upon monthly fees as well as other breaches of the TBA. The KOHC-CD and El Nacional are presently in litigation which as of March 14, 2017 is now an appeal in the appellate courts of the State of Oklahoma. Said litigation ensued after KOHC-CD informed El Nacional that it desired to voluntarily participate in the FCC Reverse Auction 1001 and potentially be afforded re-pack reimbursement, or be a winning reverse bidder under the auction. KOHC-CD was hampered in said

litigation because it did in fact participate as an applicant to the FCC Reverse Auction 1001 and was subject to the Commission's Order and Rules regarding "Quiet Period" obligations of Reverse Auction applicants. At issue with El Nacional in the litigation was KOHC-CD's application to participate in the voluntary incentive auction and details of its participation. KOHC-CD refused to exit or disclose in accord with its "Quiet Period" obligations. The Oklahoma state district court however did not allow continuance of the litigation until the end of the auction after March 30, 2017. This issue, among other issue, is now on appeal in the State of Oklahoma, and, has not been determined with finality.

Furthermore, since submitting its notice of suspension of operations on March 27, 2017, KOHC-CD has been informed by the Commission of its channel reassignment in the re-pack of frequencies post incentive auction. Estimates have been previously sought for this process in order to meet New Construction application deadlines of the Commission under the repack process. However KOHC-CD has been caused to make re-adjustments to replacement equipment sought to restore services to account for changes in equipment that will be shortly be required as a part of channel re-assignment. New quotes for replacement equipment integrating equipment necessary for soon to be channel re-assignment have been sought. These estimates have placed installation and testing beyond a sixty (60) day period and to as much as a ninety (90) day period for installation and testing. KOHC-CD now seeks a Special Temporary Authority from the Commission to allow it restore services and be reasonably ready for channel re-assignment. KOHC-CD is also pursuing other commercial arrangements to resume broadcasting through other licensed facilities in the interim, subject to Commission approval, however the process has been elongated. KOHC-CD now seeks this requests Special Temporary Authority to temporarily go silent while repairs and replacement to equipment is performed to re-establish its broadcasting services. KOHC-CD seeks ninety (90) days for this STA in the abundance of caution

### **REQUEST FOR SPECIAL AUTHORITY**

KOHC-CD herein requests that the Commission grant it a Special Temporary Authority to temporarily go silent while repairs and replacement to equipment are performed to re-establish its broadcasting services in its licensed community. KOHC-CD seeks ninety (90) days for this STA. As basis for this STA, KOHC-CD references the above background and states that the necessity for this STA and the loss of broadcasting from the licensed site is beyond the licensee's control and a culmination of events beyond the licensee's reasonable control. KOHC-CD states that its facilities after the term of any STA will continue to provide service to the licensed community of Oklahoma City, Oklahoma. Further, KOHC-CD states that the STA it seeks will not extend its facilities or coverage, and, is only to maintain as closely as practicable its existing licensed service area. Lastly, the STA shall not involve the construction of towers for permanent use by KOHC-CD as a part of its current licensed operations, or, for purposes of channel re-assignment. Any construction of towers for channel re-assignment shall be performed entirely under permits granted KOHC-CD under Commission order and applications prescribed for the post Incentive Auction re-pack process.

### **IMPACT STATEMENT**

The grant of this STA request will serve the public interest, convenience and necessity because such grant will permit KOHC-CD to provide regulated broadcast services to its licensed community's needs after its expiry. The grant of this STA will further ensure that KOHC-CD can continue to meet the needs of the licensed community in the future, while subsequent applications under the re-pack process are considered by the Commission. Likewise, KOHC-CD is a small-sized broadcaster and the application does not raise anti-competitive concerns.

KOHC-CD acknowledges that the grant of this STA request will not prejudice any action the Commission may take on subsequent that seeks Commission approval for a New Construction Permit and Re-pack reimbursements for which it may or may not qualify. KOHC-CD further acknowledges that grant of this STA may be revoked by the Commission upon its own motion without hearing. In the event KOHC-CD is denied authority or the STA is revoked by the Commission without grant of final authority, tentative emergency and limited arrangements have been sought with other broadcasters in the licensed area to temporarily sustain service for a limited period as a contingency of last resort.

### **CONCLUSION**

For the above reasons, Sunshine State Television Network, Inc. respectfully requests that the Commission grant it special temporary authority to go silent for up to a ninety (90) day period in the licensed service area of KOHC-CD as described in this STA Application.

Respectfully Submitted,

/s/ Jorge Rossi /s/  
Jorge Rossi, President  
Sunshine State Television Network, Inc. (a Florida corporation)  
Licensee: KOHC-CD  
File No.: BLTTA-20110128ACE  
Facility ID: 10265