

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

In the Matter of)
)
) Facility ID No. 37482
CHRISTIAN TELEVISION NETWORK, INC.)
)
WLCF-LD, Decatur, Illinois)

)

TO: CHIEF, VIDEO DIVISION, MEDIA BUREAU

**REQUEST FOR WAIVER OF
LPTV DISPLACEMENT APPLICATION FILING FREEZE**

Christian Television Network, Inc. (“CTN”) licensee of low power digital television station WLCF-LD, Decatur, Illinois, (Fac. Id. 37482), pursuant to 47 C.F.R. §1.3, for good cause shown, hereby requests a waiver of the current freeze on the filing of displacement applications by low power television stations.¹

CTN has operated WLCF since 2007, building out digital facilities in 2008. The station operates digitally on channel 45. As a result of the now concluded Television Incentive Auction, all television stations are being migrated to and will exist between channels 2 and 36. The FCC has tentatively scheduled a filing window for displaced LPTV stations like WLCF for the first quarter of 2018. However, T-Mobile intends to commence wireless operations within WLCF’s coverage area before the 2018 displacement window, and has provided CTN with the required 120 day notice letter. WLCF must therefore cease operations no later than October 31, 2017.

¹ See *Freeze on the Filing of Applications for Digital Replacement Translator Stations and Displacement Applications*, Public Notice, 29 FCC Rcd 6063 (MB 2014) (*Displacement Freeze Public Notice*).

In anticipation of such early displacements and interruption of television service, the FCC has announced that it will accept displacement applications for LPTV stations that receive a 120-day notice letter, provided that a waiver of the displacement application filing freeze is requested, and a request for temporary operation on the requested channel is simultaneously filed.² This waiver request is made in accordance with the FCC's announced policy.

The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. *See Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990). Waiver of the Commission's rules is appropriate if (i) special circumstances warrant a deviation from the general rule, and (ii) such deviation will serve the public interest. *See id.*

WLCF's ten-year history of providing television service to residents of Illinois is threatened by T-Mobile's decision to build out its wireless operation early. The resulting loss of television service would be inconsistent with the public interest. In this unique circumstance, an exception to the displacement application filing freeze will enable the provision of uninterrupted television service to the residents of Illinois. Grant of the waiver will serve the public interest by avoiding a loss of television service.

² *See Incentive Auction Task Force and Media Bureau Set Forth Tools Available to LPTV/Translator Stations Displaced Prior to the Special Displacement Window*, Public Notice, DA 17-584 (released June 14, 2017)

For the foregoing reasons, CTN respectfully requests a waiver of the displacement application filing freeze so that WLCF may seek an alternate channel and continue operating.

Respectfully submitted:

A handwritten signature in blue ink, reading "Joseph C. Chautin, III", enclosed in a thin black rectangular border.

Joseph C. Chautin, III, Esq.
Mark A. Balkin, Esq.
Hardy, Carey, Chautin & Balkin, LLP
1080 West Causeway Approach
Mandeville, LA 70471
(985) 629-0777

Counsel for Christian Television Network, Inc.