

WAIVER REQUEST

TRANSLATOR STATION K38AI-D  
COTTONWOOD, ARIZONA  
CHANNEL 28 15 KW (MAX-DA) 2349 M AMSL

1. Due to the imminent displacement of K38AI-D, KPHO Broadcasting Corporation (“KPHO”) respectfully requests a waiver of the Displacement Freeze to allow it to continue its operations on Channel 28 by means of Special Temporary Authority (STA). This is pursuant to the FCC’s *Public Notice* providing tools available to LPTV/Translator stations displaced prior to the Special Displacement Window for LPTV/Translator stations.\*
2. This waiver is requested to allow KPHO to file an application for construction permit for displacement on Channel 28 and to file for STA for operation as proposed in that application.
3. The K38AI-D facility is licensed for operation on RF Channel 38.
4. KPHO was notified by letter that the 600 MHz Band wireless band licensee in the market, T-Mobile, will be commencing operations that will result in the early displacement of the K38AI-D facility prior to the Special Displacement Window for LPTV/Translator stations. The letter from T-Mobile is included as an exhibit.
5. Grant of this waiver will allow K38AI-D to continue to provide service to the public with as little disruption to its viewers as possible.
6. The licensee is filing a displacement application for Channel 28 that demonstrates compliance with the FCC’s processing and interference protection requirements as outlined in the FCC’s *Public Notice*.

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\* See *Public Notice*, “Incentive Auction Task Force and Media Bureau Set Forth Tools Available to LPTV/Translator Stations Displaced Prior to the Special Displacement Window,” DA 17-584, Released: June 14, 2017.