

EXHIBIT SUPPORTING WAIVER
OF PHASE ASSIGNMENT, TESTING PERIOD, AND PHASE COMPLETION DATE

WCSC License Subsidiary, LLC seeks waiver of the post-Incentive Auction Transition Phase assignment, and corresponding testing dates and construction completion deadlines, for WCSC-TV, Charleston, SC (Facility ID 71297) (“Station”). The Station has been assigned to Transition Phase 5, for which the Phase Completion Date is September 6, 2019. WCSC License Subsidiary, LLC seeks to transition the Station early, with expected transition completion on or before June 1, 2018, with a testing period to commence immediately preceding said date.

The *Transition Scheduling PN* encouraged stations to propose “alternative transition solutions that could create efficiencies,” and held that a request to modify a station’s transition deadline — including by moving to an earlier phase — would be viewed favorably if the request is “otherwise compliant with [FCC] rules and [has] little or no impact on the phase assignments or transition schedule.”¹ As described below, WCSC License Subsidiary, LLC’s instant request qualifies for such favorable treatment.

The FCC may grant a waiver for good cause shown.² A waiver is appropriate where the particular facts make strict compliance inconsistent with the public interest.³ In considering a waiver, the FCC may take into account considerations of hardship, equity, or more effective

¹ *Incentive Auction Task Force and Media Bureau Adopt a Post-Incentive Auction Transition Scheduling Plan*, Public Notice, MB Docket No. 16-306, GN Docket No. 12-268, ¶ 50, *24 n.163 (rel. Jan. 27, 2017) (“Transition Scheduling PN”).

² 47 C.F.R. § 1.3.

³ *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

implementation of overall policy on an individual basis.⁴ Such a waiver is appropriate if circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.⁵

As demonstrated herein, good cause exists for waiver of the assigned Transition Phase and its attendant testing and completion dates. First, this proposal will serve the public interest by facilitating an orderly and efficient transition to more swiftly deliver new wireless broadband services to the public while minimizing impacts on broadcast television viewers and post-auction transition resources. Specifically, if the Station is permitted to complete its transition early, T-Mobile, a winning 600 MHz wireless licensee, will be able to deploy new competitive wireless broadband service to people of Charleston, a full fourteen (14) months earlier than scheduled.

Second, no new interference will be created by the proposed early transition of Station beyond the permitted 2% transition period amount. The Station is not part of any linked station set. A TV Study report is attached to this application.

Third, the proposed transition will not negatively impact the overall transition plan, but will in fact permit better utilization of resources by engaging vendors and service providers early in the process rather than have them overloaded further in the transition. The Station has consulted with equipment manufacturers, vendors, site lessor, engineers and tower crews to ensure an orderly early transition. Please see letters attached to this application.

⁴ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1027 (1972); *Northeast Cellular*, 897 F.2d at 1166.

⁵ *Northeast Cellular*, 897 F.2d at 1166.

Finally, WCSC License Subsidiary, LLC believes any disruption to viewers will be minimized. The Station recognizes that its request for an early transition may increase the total number of times a viewer may need to rescan equipment in order to receive all reassigned stations in Charleston from two to three scans. Although this number exceeds the presumptive cap established by the Transition PN,⁶ by one scan, a waiver can be justified as the Station will engage in a comprehensive consumer awareness campaign. In addition to the required public service announcements and crawls to notify the Station audience of the proposed transition and provide detailed instructions on the rescanning process, the Station will conduct robust and diverse outreach through digital and social media, newscasts, and via notices with other local stations and print media to ensure that viewers will be well-informed of the transition.

In sum, grant of this waiver will facilitate a more effective and efficient implementation of the overall policy goals of the Incentive Auction and post-auction transition, and thus is in the public interest.

⁶ See Transition Public Notice at ¶¶ 20 and 21.