

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

Watchmen Broadcasting Productions International, Inc. seeks waiver of the post-Incentive Auction Transition Phase assignment, and corresponding testing dates and construction completion deadlines, for WBPI-CD, Augusta, Georgia (17464) (“Station”). Pursuant to the *Closing and Reassignment Public Notice*, Station has been assigned to Transition Phase 8, for which the Phase Completion Date is January 18, 2020.¹ Watchmen Broadcasting Productions International, Inc. seeks to transition the Station early, with expected transition completion on or before September 14, 2018, with a testing period to commence immediately preceding said date.

The *Transition Scheduling Adoption Public Notice* permitted 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.”² As demonstrated below, Watchmen Broadcasting Productions International, Inc.’s instant request qualifies for such favorable treatment.

¹ *Incentive Auction Closing and Channel Reassignment Public Notice: The Broadcast Television Incentive Auction Closes; Reverse Auction and Forward Auction Results Announced; Final Television Band Channel Assignments Announced; Post-Auction Deadlines Announced*, Public Notice, 32 FCC Rcd 2786 (WTB & MB 2017) (*Closing and Channel Reassignment Public Notice*).

² *Incentive Auction Task Force and Media Bureau Adopt A Post-Incentive Auction Transition Scheduling Plan*, MB Docket No. 16-306 and GN Docket No. 12-268, 32 FCC Rcd 890, 913 ¶ 51 (MB 2017) (*Transition Scheduling Adoption Public Notice*), citing *Incentive Auction Task Force and Media Bureau Seek Comment on Post-Incentive Auction Transition Scheduling Plan*, Public Notice, 31 FCC Rcd 10802 (MB 2016) (*Transition Scheduling Proposal Public Notice*).

The FCC may grant a waiver for good cause shown.³ A waiver is appropriate where the particular facts make strict compliance inconsistent with the public interest.⁴ In considering a waiver, the FCC may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.⁵ Such a waiver is appropriate if circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.⁶

As demonstrated herein, good cause exists for waiver of the assigned Transition Phase and its attendant testing and completion dates because it 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 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 Augusta, Georgia a full 15 months earlier than scheduled.

Interference. Because the analysis shows no cases of outgoing (caused) or incoming (created) interference exceeding the normal 0.5% rounding tolerance level to any other protected full-power or Class A television stations now operating, no new pairwise (station-to-station)

³ 47 C.F.R. § 1.3.

⁴ *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

⁵ *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.

⁶ *Northeast Cellular*, 897 F.2d at 1166.

interference will be created by the proposed early transition of Station. As such, there is no impact on any linked station set or other transitioning stations.

Impacts to Transition Plan. This early out of phase move will in fact permit better utilization of resources by engaging vendors and service providers early in the process rather than have them potentially overloaded further in the transition. By moving early, Watchmen Broadcasting Productions International, Inc. will be able to take advantage of its new transmitter and antenna allowing it to better serve the community with better reception of its channel. Moving early will allow the Station to get everything in place before it launches a new sub channel in the fourth quarter of 2018. This will allow the Station to prevent any future disruptions after it launches the new sub channel. By moving early we will also be able to focus our time and resources on our business plan rather than waiting for the Station's original slated date to come around which may hinder viewership in the future.

Impact to Viewers. Finally, Watchmen Broadcasting Productions International, Inc. 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 Augusta, Georgia from two to three scans. Although this number exceeds the presumptive cap established by the Transition PN,⁷ 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

⁷ See Transition Public Notice at ¶¶ 20 and 21.

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.

Watchmen Broadcasting Productions International, Inc. will be notifying the public three months before our scheduled date with PSAs and on-screen crawls as well as talking about it on its live two-hour flagship program daily. Additionally, T-Mobile will undertake additional consumer outreach to ensure consumers are informed about the transition as described in the attached letter.

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.