

### **Request for Waiver of Displacement Freeze**

TV Translator Station W49BE-D, Hackettstown, NJ (Facility ID 48484)

Pursuant to *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, MB Docket No. 16-306, GN Docket No. 12-268 (June 14, 2017), New Jersey Public Broadcasting Authority (“NJPBA”), licensee of noncommercial educational TV translator Station W49BE-D, Hackettstown, New Jersey, respectfully requests a waiver of the current freeze on the filing of translator displacement applications.<sup>1</sup> This application seeks to change TV translator station W49BE-D to channel 29 due to displacement by T-Mobile’s impending use of the 600 MHz band.

NJPBA is filing this channel 29 displacement modification application to seek relief for W49BE-D following receipt of a notification letter from T-Mobile regarding its planned use of the 600 MHz band (copy attached). T-Mobile’s letter indicates that it will commence its operations in the W49BE-D market shortly, and that W49BE-D is likely to cause harmful interference to T-Mobile’s operations. In the June 14, 2017 Public Notice referenced above, the FCC set forth tools for use by TV translators such as W49BE-D displaced by 600 MHz band wireless operations, including the filing of a displacement permit application/freeze waiver application such as this, accompanied by an STA application (which NJPBA will file concurrently).

NJPBA respectfully submits that a waiver of the Displacement Freeze will serve the public interest by authorizing translator station W49BE-D to operate on its newly proposed and available channel despite the station’s displacement from its licensed channel due to the impending 600 MHz band wireless operations in its area. The waiver and grant of this application will allow NPETA to maintain broadcasts over this noncommercial educational translator to its local community while avoiding interference to T-Mobile operations. NJPBA is a noncommercial educational licensee and operates W49BE-D on a noncommercial educational basis.

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<sup>1</sup> 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*).