

AMENDED
March 2, 2018

REQUEST FOR A WAIVER OF SECTIONS 73.3700(b)(1)(i), (b)(4)(ii) and (b)(5)(i)
REQUEST FOR EXTENSION OF TIME
TO IMPLEMENT CHANNEL SHARE AGREEMENT

Minority Television Project, Inc. (“MTP”), licensee of full power noncommercial television station KMTP-TV, Channel 33, San Francisco, California, requests a waiver of Sections 73.3700(b)(1)(i), (b)(4)(ii) and (b)(5)(i) of the Commission’s Rules, 47 CFR § 73.7300(b)(1)(i), (b)(4)(ii) and (b)(5)(i), to permit MTP additional time to implement its Channel Sharing Agreement (“CSA”) and file an application for a construction permit to move to the transmitting location of the Sharer station. In support of its request, MTP submits the following:

MTP was a successful go-off-air bidder in the Commission’s Reverse Incentive Auction. In its application to participate in the Reverse Auction, MTP indicated that it would seek to enter into a CSA if successful in the auction.

MTP has negotiated a channel share agreement with KCNZ-CD, San Francisco, CA, licensed to Poquito Mas Communications, LLC. The parties expect to execute the agreement within the next two days.

Upon execution of the definitive CSA, MTP may need to move its equipment (satellite reception and master control equipment) from Mt. Sutro to San Bruno mountain, from which KCNZ-CD transmits, or arrange for a means of delivering its programming to San Bruno mountain.

The requested waiver will not impact the post-auction transition, because the first phase of the transition will not occur until September 2018, and existing facilities are being used. Therefore, no resources will be diverted to implement the shared operations. In addition, KMTP’s current channel, Channel 33, is not in the new 600 MHz wireless band, so continued use will not impact new wireless licensees looking to launch service.

MTP, therefore, requests additional time to file its construction permit application and implement its CSA at San Bruno mountain. MTP requests a waiver of Sections 73.3700(b)(1)(i), (b)(4)(ii) and (b)(5)(i), for 90 days to complete that process. A grant of the requested waiver will serve the public interest by allowing MTP to continue to provide its unique programming to the minority communities of the San Francisco service area.