

LeSEA Broadcasting of Hawaii, Inc.  
Request for Engineering STA  
KWHM, Wailuku, HI Fac. Id. 37105

### **REQUEST FOR SPECIAL TEMPORARY AUTHORITY**

KWHM is presently silent, having gone off the air on May 8, 2017. The licensee, LeSEA, has contracted to sell the station to Acme Broadcasting Company, LLC. An assignment application has been filed and is pending with the Commission (FCC File No. BALCDT - 20180313AAA).

The ability of LeSEA to resume operations at the presently licensed tower/transmitter site is subject to legal and financial negotiations with the site owner, Maui Television Broadcasting, LLC (Maui TV). LeSEA and Acme are diligently attempting to favorably conclude these negotiations with Maui TV prior to the deadline for KWHM to resume operations by May 9, 2018, in order to avoid automatic cancellation of the station's FCC license pursuant to Section 312(g) of the Communications Act of 1934, as amended.

If those negotiations are not successful in time to allow KWHM to resume broadcast operation from the licensed site prior to the one-year deadline, LeSEA is proposing operation at reduced power from a temporary auxiliary site. It is LeSEA's intent, if this request for special temporary authority is granted, to operate continuously from this auxiliary site until the ability to return to broadcasting from the licensed facility is obtained, or an alternative permanent site is located. The attached engineering statement and exhibits have been prepared for LeSEA by the engineering consulting firm of Smith and Fisher, and are in support of this request for special temporary authority. This special temporary authority request specifies a set of technical parameters, which when implemented, will allow KWHM to return to operation in a timely manner.

KWHM is currently licensed to operate on channel 21 with a maximum effective radiated power of 23.5 kW at a center of radiation of 1418 meters above mean sea level utilizing a directional antenna. This request for special temporary authority proposes operation on channel 21 from a different site with a maximum effective radiated power of 2.1 kW at a center of radiation of 777.2 meters above mean sea level also using a directional antenna.

A grant of this request would be in the public interest, as it would allow KWHM to return to operation and serve its community of license. LeSEA respectfully requests that this STA be granted for a duration of no less than 180 days initially. KWHM is not being "repacked" under the results of the incentive auction.

As described more fully in the attached Engineering Statement, the proposed facility would not constitute a significant environmental impact, and is exempt from environmental processing. The proposed antenna would utilize a monopole structure that is not required to be registered.

LeSEA is cognizant that this request is for a special temporary authority. As such, the proposed facility is not afforded interference protection, and must not cause interference to other facilities. A grant of this STA request, as previously stated, would serve the public interest, in that it would allow the restoration of the operation of KWHM until a permanent site is secured. LeSEA understands that this authority may be rescinded or modified as necessary by the Commission.