

## Amendment to Legal STA

ION Media Wausau License, Inc. (“ION”) hereby amends its pending DTV Legal STA Application, LMS File Number 0000049124 (the “Application”), requesting a waiver of the repack phase assignment of WTPX-TV, Antigo, Wisconsin. ION is amending its Application to provide additional details to support the request for waiver.

Grant of the instant waiver request is in the public interest because (1) it will reduce the time and expense needed to bring the station back on-air and (2) lessen the demand on third parties that are actively working to facilitate the television repack and quicken the timeframe for WTPX-TV to transition to its new channel. Most important, however, is that ION has the equipment it needs to return the station to on-air operations on Channel 19 but not on Channel 46. Accordingly, if this Application is not granted, WTPX-TV will remain off-air and the station will lose its license.

As described in the Application, WTPX-TV is licensed to operate on Channel 46; however, WTPX-TV is currently off-air. ION took WTPX-TV off-air following a catastrophic equipment failure that rendered the Station’s main transmitting antenna completely unusable, even at reduced power. Due to the station’s low 24.5 kW radiated power, operating WTPX-TV with temporary equipment, even at low-power, would essentially have required replacement and installation of the station’s antenna for the short period prior to the station’s relocation to Channel 19. ION deemed the estimated costs of establishing interim operations on Channel 46 at over \$300,000. Given that Antigo and Wausau market residents continued to have access to ION programming through local cable and satellite television providers, ION deemed that price to be cost-prohibitive, and elected to pursue a different course.

ION then spent several months working with its vendors on a single-antenna design that would allow it to both restore WTPX-TV’s operations on Channel 46 and accommodate post-auction operations on Channel 19. The large separation of the channels complicated the design of a suitable antenna. When ION received the design, it determined that the dual antenna would be so heavy that the station’s tower could not support the additional load. ION spent several weeks trying to identify alternative tower sites that could handle the larger antenna, but it determined that the most feasible long-term location for WTPX-TV is at its existing site. Thus, in March 2018, ION determined that the best alternative would be to construct WTPX-TV’s facilities once on Channel 19 and seek to both restore that station’s operations and accomplish an early post-auction transition on May 21, 2018. At the time it filed the initial STA request, ION purchased the Channel 19 antenna and booked the necessary tower crew in order to complete construction by that deadline.

The Commission should note that ION’s solution will make more efficient use of repack resources than requiring ION to rebuild the station on Channel 46 and the subsequently move to Channel 19. There is no reason to require manufacture and

installation of two antennas, when ION can accomplish nearly the same result by transitioning WTPX-TV early, obviating the need for producing multiple antennas and hiring additional tower crews. By completing construction prior to the commencement of Phase 1, WTPX-TV will place no additional burden on future repack resources.

ION also seeks waiver of the requirement to provide repack transition notices using over-the-air notices to viewers. All repack stations are required to provide on-air notice to viewers using crawls or public service announcements. However, because WTPX-TV is off-air, it will not be able to provide such announcements prior to commencing service on Channel 19. In lieu of the on-air notices and in support of its request for waiver, ION commits to notify viewers of the channel change using each of the following methods:

1. Publishing a daily transition notice for WTPX-TV in the Wausau Daily Herald, the local daily newspaper in the market, commencing on April 21, 2018;
2. Airing eight 15-second spots daily (2 during each quarter of the day, with at least two spots airing between 7-10 PM), beginning on April 21, 2018, on local radio stations; and
3. Adding a notice to the WTPX-TV station information page on the ION Media Networks website on April 21, 2018.

The notices in each of these fora would include all information that the FCC requires for transitioning stations airing crawls or PSAs over-the-air.

ION submits that these notices will provide viewers with ample notice of the WTPX-TV transition, thus, grant of the requested waiver is in the public interest.