

### **Request for Waiver of Contingent Application Rule (47 C.F.R. § 73.3517)**

The applicant respectfully requests a waiver of the Commission's contingent application rule, 47 C.F.R. § 73.3517. The technical exhibit to this application already specifies that the application is contingent on a repacked station completing its transition to a new channel, and the technical exhibit already makes clear that the applicant will not commence operations until the channel becomes available and will accept a corresponding condition on its displacement construction permit.

The applicant is filing this displacement application because the facility is being displaced as part of the post-Auction transition, and the licensee will be unable to continue to serve certain of its pre-transition viewers without finding a new channel for this low power facility. Thus, the applicant believes the public interest would be served by a waiver of the contingent application rule. *See The Incentive Auction Task Force and Media Bureau Announce Procedures for Low Power Television, Television Translator and Replacement Translator Stations During the Post-Incentive Auction Transition*, Public Notice, 32 FCC Rcd 3860, ¶ 13 (2017).

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