

Legal Exhibit

The licensee of a full power television station which is reassigned to a new channel in the repacking process is eligible to apply for a digital replacement translator so long as it can demonstrate (1) a loss of a portion of pre-auction digital service area, and (2) that the proposed translator will be used solely to fill in such loss areas, subject to an allowance for a *de minimis* expansion of the station's pre-auction digital service area. The Commission will define "*de minimis*" on a case-by-case basis.¹

As demonstrated in the attached engineering statement, WJWN-TV suffered coverage area loss as a result of the repacking process. Thus, a digital replacement translator is hereby respectfully requested to fill in the lost coverage area.

Licensee acknowledges that the proposed replacement translator will result in an expansion of the WJWN-TV pre-auction service area. However, as further explained in the attached engineering statement, it is impossible to fill in the lost coverage area without some expansion of the station's pre-auction service area. While the Commission has not defined what will constitute "*de minimis* expansion," licensee will file a waiver request if the Commission so requires.

¹ *Amendment of Parts 73 & 74 of the Commission's Rules to Establish Rules for Digital Low Power Television & Television Translator Stations*, 30 F.C.C. Rcd. 14927, FCC 15-175, para. 69 (2015).