

Spokane Television, Inc. (STV) requests waiver of the Displacement Freeze (see Freeze on the Filing of Applications for Digital Replacement Translator Stations and Displacement Applications, Public Notice, 29 FCC Rcd 6063 (MB 2014)). The waiver is requested in order to file an application for a new channel for this translator in view of the 120-day activation notification from a successful Incentive Forward Auction bidder in the area and to request STA to operate on that channel on a temporary basis in accordance with the procedures set forth in the Public Notice titled Incentive Auction Task Force And Media Bureau Set Forth Tools Available To LPTV/Translator Stations Displaced Prior to the Special Displacement Window (DA 17-584, June 14, 2017). The licensee is filing an application for a new channel that demonstrates compliance with the processing and interference standards and a companion STA request.

It is acknowledged that the T-Mobile commencement date for this market, as stated in the letter is approximately six months out, and will not occur until four months after the Special Displacement Window (scheduled for April 10 to May 15, 2018) has closed. However, given the uncertainties of the filing window, including a) how long it will take for the Commission to perform an MX analysis of applications filed during the window, b) how long it will take for construction permits to be granted, c) how long it will then take to take delivery of the necessary equipment, and d) how long it will take to install the equipment, it still seems prudent for STV to pursue an engineering STA and a displacement application at this time. To the extent necessary, STV requests waiver of the provision in Paragraph 5 of the Public Notice, limiting eligibility for temporary channels to those stations “whose termination of operations date will occur before the Special Displacement Window opens”.