

WVTA, Windsor, VT
Facility ID No. 69943
LMS Files No. 0000034626 and 0000048440
Request for Waiver of Extended Deadline to Implement Shared Channel Operations

On November 8, 2017 the FCC granted the request of Vermont ETV, Inc. (VETV) for waiver for television station WVTA, Windsor, Vermont of the original January 23, 2018, deadline for incentive auction winning channel-sharing stations to implement shared channel operations and discontinue operations on their pre-auction channels (channel sharing implementation deadline). A further waiver and extension of the channel sharing implementation deadline to July 23, 2018, was granted on March 15, 2018, pursuant to Broadcast Transition Procedures Public Notice, 32 FCC Red at 881, para. 69. We hereby request a further waiver and extension to November 30, 2018.

As noted in the earlier deadline extension requests, VETV was a successful bidder in the incentive auction and entered into a CSA for the Station to share with commonly-owned WVER, Rutland, Vermont. VETV operates a network of four Public Broadcasting System (PBS) stations that provide Vermont with its only in-state public television service. WVTA serves a significant region in southern Vermont not reached by the other three Vermont PBS stations, including rural areas in which viewers rely to a greater than average extent on over-the-air reception. The licensee's post-auction plan is for WVTA to share with WVER and for WVER to operate a Distributed Transmission System (DTS). The use of a DTS will allow WVER to cover a portion of the WVTA service area not already covered by WVER. However that plan has been complicated by the involuntary repacking of WVER from Channel 9 to Channel 10 and the adoption by the Commission of a phased national repack that has placed that channel change at the end of the transition. The Commission in February granted the WVER DTS application filed during the Second Window. On May 31, 2018 the Commission granted an STA to permit VETV to implement four of the DTS sites in order to fill in lost WVTA coverage prior to the general implementation of the DTS construction permit in its scheduled phase. Without a further waiver of the channel sharing implementation deadline, many of the Station's over-the-air viewers and cable viewers who are not within the service contour of WVER would lose access to Vermont PBS until the WVER DTS STA can be implemented.

VETV is engaged in complex planning for implementation of the WVER DTS STA. It had to ask the Department of Public Service, the public advocate before the Vermont PUC for permission to use an expedited procedure for attaching new antennas and equipment on some of the existing towers that will be used to implement the DTS construction permit and received notification just last week that the expedited procedure will be available. VETV is currently preparing permit applications and plans to file during the first week of July for the needed permits. It anticipates having all permits in hand by September. Required lease amendments are under negotiation. One of those leases is with the State of Vermont and lease applications procedures, including submission of an intermodulation study, could delay completion until early September. Finally, the equipment procurement process should lead to delivery of all needed equipment by early September. The Ascutney site in particular requires lengthy lead time because it is a complex multiple facility site, tower mapping was required, and Antenna and Electronics specialists are at a premium during the repack.

In order to complete the complex planning for WVER to provide service to coming WVTA loss area, VETV requests an extension of the waiver of the channel sharing implementation deadline through November 30, 2018, which is the current expiration date for the DTS STA. Grant of the waiver will not delay the transition inasmuch as the first phase completion date is, coincidentally, not until November 30, 2018 and WLNE-TV, the area station that is moving to WVTA's Channel 24, is in Phase 7.