



Federal Communications Commission  
Washington, D.C. 20554

October 3, 2018

KPHO Broadcasting Corporation  
1716, Locust Street  
De Moines, IA 50309

Multimedia Holdings Corporation  
Denise Branson, Sr.  
TEGNA Inc.  
7950 Jones Branch Drive  
McLean, VA 22107

Arizona Board of Regents for Arizona State University  
Ian MacSpadden  
555 N. Central Avenue, Suite 500  
Phoenix, AZ 85004

Scripps Broadcasting Holdings, LLC  
David Giles  
312 Walnut Street, 28<sup>th</sup> Floor  
Cincinnati, OH 45202

RE: ATSC 3.0 Phoenix Market  
Trial, Request for Experimental  
Authorization, LMS File Nos.  
0000059644; 0000059643;  
0000059311; 0000059185; and  
0000058327

Dear Licensees:

This letter is in reference to the above captioned applications for experimental authority filed by the following stations: (1) KTVK(TV), Phoenix, Arizona (KTVK); (2) KPHO-TV, Phoenix, Arizona (KPHO-TV), (2) KPNX(TV), Mesa, Arizona (KPNX), (4) KAET(TV), Phoenix, Arizona (KAET); and (5) KNXV-TV, Phoenix, Arizona (KNXV-TV) (collectively, "Stations").<sup>1</sup> The Stations seek experimental authority to transmit a Next Generation Television (Next Gen TV or ATSC 3.0) signal over the channel licensed to KFPH-CD, Phoenix, Arizona (KFPH-CD).<sup>2</sup> For the reasons below, we grant the Licensees' requests for experimental authority under the Federal Communications Commission's (Commission) experimental rules governing product development and market trials—Sections 5.601 and 5.602 of the Commission's rules (Rules), respectively.<sup>3</sup>

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<sup>1</sup> The Stations are licensed as follows: KTVK and KPHO-TV are licensed to KPHO Broadcasting Corporation; KPNX is licensed to Multimedia Holding Corporation; KAET is licensed to Arizona Board of Regents for Arizona State University; and KNXV-TV is licensed to Scripps Broadcasting Holdings, LLC (collectively, Licensees).

<sup>2</sup> KFPH-CD is licensed to Unimas Partnership of Phoenix (Unimas) and is licensed to operate on channel 35.

<sup>3</sup> 47 CFR §§ 5.601 and 5.602.

On November 16, 2017, the Commission adopted rules authorizing the licensed transmission of the Next Gen TV broadcasting standard.<sup>4</sup> While certain rules became effective on February 2, 2018, the rules governing the one-step streamlined licensing process did not become effective until July 17, 2018.<sup>5</sup> The Media Bureau (Bureau) is in the process of making changes to its Licensing and Management System (LMS) to accommodate Next Gen TV license applications, and the Bureau is not yet accepting applications for Next Gen TV licenses.<sup>6</sup> Thus, it is appropriate for a station to continue to seek experimental authority until the online filing process is complete.

On March 29, 2018, the Video Division (Division) granted Class A television station KFPH-CD experimental authority to convert its station to ATSC 3.0 transmissions in order to enable the deployment of an ATSC 3.0 broadcast “test bed” in Phoenix, Arizona (Phoenix Market Trial).<sup>7</sup> In the letter authorizing the Phoenix Market Trial (*KFPH-CD Authorization Letter*),<sup>8</sup> the Division required that any other station that intends to participate in the Phoenix Market Trial must file its own application for experimental authority in order to transmit an ATSC 3.0 signal as a guest station of KFPH-CD.

The Licensees are requesting experimental authority to participate in the Phoenix Market Trial and have their Stations each air an ATSC 3.0 guest signal using KFPH-CD’s ATSC 3.0 facility. In their applications the Licensees have committed to continuing to air an ATSC 1.0 signal over their existing channels using their licensed facilities. Neither KFPH-CD nor any of the Stations will be required to make any changes to their facilities or technical parameters that would necessitate the filing of a construction permit. KFPH-CD and the Stations are all located in the Phoenix, Arizona Designated Market Area and have entered into written agreements governing the operation of their ATSC 3.0 guest signals. Such agreements are available for inspection by the Commission upon request. Because of spectrum capacity constraints and in order to accommodate all of the stations that plan to participate in the Phoenix Market Trial, the Stations have requested flexibility to rotate their individual ATSC 3.0 guest signals on and off the ATSC 3.0 host station, KFPH-CD.

We find that the public interest will be served by permitting the Stations to join the Phoenix Market Trial and each air an ATSC 3.0 guest signal over KFPH-CD’s facility. We agree that grant of the instant request for experimental authority will help advance the technical capabilities of Next Gen TV and allow broadcasters to further evaluate the services and benefits that ATSC 3.0 can offer consumers. Given the nature of this authorization as a market trial under our experimental rules, we find that it is appropriate to permit the Stations authority to flexibly operate their individual ATSC 3.0 guest signals as they have proposed.

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<sup>4</sup> *Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard*, GN Docket No. 16-142, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 9930 (2017) (*ATSC 3.0 Report and Order*).

<sup>5</sup> See *Next Gen TV Report and Order*, Final Rules, 83 Fed. Reg. 4998 (Feb. 2, 2018) and 83 Fed. Reg. 33144 (Jul. 17, 2018).

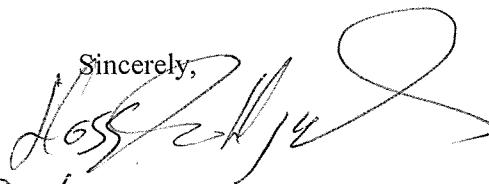
<sup>6</sup> See *Next Gen TV Rules Receive OMB Approval Media Bureau Will Announce in Future Notice When Ready to Accept Next Gen TV License Applications*, GN Docket No. 16-142, DA 18-736 (MB Jul. 17, 2018).

<sup>7</sup> The stated objectives of the Phoenix Market Trial are as follows: (1) test ATSC 3.0 television service, as well as new business models; (2) develop a framework to facilitate nationwide deployment of ATSC 3.0 service, including best practices; (3) test consumer devices; and (4) collect real-time consumer input through surveys and focus groups.

<sup>8</sup> Letter from Barbara A. Kreisman to Unimas Partnership of Phoenix, licensee of KFPH-CD, Phoenix, AZ (granted Mar. 29, 2018) available at LMS File No. 0000048791.

Accordingly, the requests for experimental authority filed by the Licensees of the Stations **ARE GRANTED** pursuant to 47 CFR §§ 5.601 and 5.602,<sup>9</sup> and are subject to the following conditions:

1. The Licensees must continue to provide uninterrupted ATSC 1.0 service on their Stations' existing channels and authorized facilities. Operations of the Stations' individual ATSC 3.0 guest signals may in no way inhibit or diminish operation of their ATSC 1.0 service.
2. The Licensees must operate their individual ATSC 3.0 guest signals in a manner that is consistent with the licensed parameters for Station KFPH-CD, Phoenix, Arizona. The Licensees are solely authorized to operate from KFPH-CD's facility and in accordance with technical parameters assigned to KFPH-CD.
3. The Licensees must notify the Bureau at least 30 days before ceasing ATSC 3.0 operation if any of the Stations no longer plans to participate in the Phoenix Market Trial prior to the experimental authorization's expiration date.
4. Grant of the instant experimental authorization does not represent that the Licensees will be granted a license to transmit a signal pursuant to the ATSC 3.0 rules. Such evaluation will occur once the Next Gen TV licensing applications are available for filing with the Commission.
5. Any broadcaster equipment or end-user devices must receive (as applicable) the necessary Commission equipment authorizations prior to use.
6. This experimental authorization expires on March 29, 2019, one year from the date of the grant of the *KFPH-CD Authorization Letter*. There is no expectation of renewal.
7. Any other station that intends to participate in the Phoenix Market Trial must file its own application for experimental authority as required by the *KFPH-CD Authorization Letter*.
8. These experimental authorizations have been granted on a non-interference basis (e.g., 47 CFR § 5.84) and may be immediately terminated if the operation causes harmful interference to any other licensed user (e.g., licensed broadcast operations or licensed wireless microphones) or if either the Stations or their ATSC 3.0 host station, KFPH-CD, fails to comply with the conditions of grant. The Bureau may also modify the terms of or terminate this authorization for any other reason upon at least 60-days written notice.
9. As a NCE station, KAET is prohibited from broadcasting advertisements over its ATSC 3.0 guest signal. *See* 47 U.S.C. § 399b(b)(2). Any advertisements broadcast on KFPH-CD's ATSC 3.0 channel during the course of this experiment must be limited to those ATSC 3.0 streams aired by commercial broadcasters.

Sincerely,  
  
For / Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

<sup>9</sup> This action is being taken by the Video Division pursuant to the authority delegated to the Media Bureau under 47 CFR § 0.61.

Cc (via electronic mail):

Ann Bobeck, Esq.

Joshua Pila, Esq.

Kenneth C. Howard, Esq.