

WVTA(TV), Windsor, VT

Facility ID No. 69943

LMS File Nos. 0000034626, 0000048440, and 0000055163

Request for Waiver of Extended Deadline to Implement Shared Channel Operations

On November 8, 2017, the FCC granted a request filed by Vermont ETV, Inc., (Vermont PBS) seeking a waiver for television station WVTA, Windsor, Vermont of the original January 23, 2018, deadline for incentive auction winning stations to implement shared channel operations and discontinue operations on their pre-auction channels (Channel Sharing Implementation Deadline) (LMS File No. 0000034626). On March 15, 2018, the FCC granted WVTA an additional waiver and extension of the Channel Sharing Implementation Deadline to July 23, 2018 (LMS File No. 0000048440). Finally, on June 27, 2018, the FCC granted a further waiver and extension of the Channel Sharing Implementation Deadline for WVTA, which is currently set to expire on November 30, 2018 (LMS File No. 0000055163). By this application, Vermont PBS respectfully requests an additional waiver and extension of the Channel Sharing Implementation Deadline for WVTA to April 11, 2019.

As noted in Vermont PBS's earlier requests, Vermont PBS was a successful bidder in the Commission's incentive auction and entered into a Channel Sharing Agreement (CSA) for WVTA to channel share with commonly-owned WVER(TV), Rutland, Vermont (Facility ID No. 69946).

Vermont PBS operates a network of four Public Broadcasting System stations that provide Vermont with its only in-state public television service. In particular, WVTA serves a significant region in southern Vermont not reached by the Vermont PBS's three other stations, including rural areas in which viewers rely to a greater than average extent on over-the-air reception. Vermont PBS's post-auction plan is for WVTA to share with WVER and for WVER to operate a Distributed Transmission System (DTS), which will provide coverage to most of WVTA's viewers.

On February 21, 2018, the Commission granted a construction permit application for WVER's DTS operations at five sites (LMS File No. 0000034603). Although the use of a DTS will allow WVER to cover a portion of WVTA's current service area not already covered by WVER, the planned DTS operation 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 WVER's channel change at the end of the transition. Accordingly, on May 31, 2018, the Commission granted Special Temporary Authority (STA) to permit Vermont PBS to implement four of the five DTS sites in order to fill in lost WVTA coverage prior to the general implementation of WVER's DTS construction permit in its scheduled phase (LMS File No. 0000054151). That STA was superseded and extended by a Commission grant dated August 10, 2018 (LMS File No. 0000058788).

Vermont PBS is engaged in complex planning for implementation of the WVER DTS STA and while substantial progress has been made, there continue to be challenges. In particular, construction at the Ascutney site was delayed because it is located at an intricate multiple facility site where tower mapping was required at a time that antenna and electronics

specialists were at a premium during the repack. Additionally, Vermont PBS has encountered continuing delays at the Pownal DTS site resulting from unanticipated tower safety issues and weather delays.

As discussed below, without a further waiver and extension of the Channel Sharing Implementation Deadline, many of WVTA's over-the-air viewers and cable viewers who are not within WVER's current service contour would lose access to Vermont PBS until WVER's DTS operations can be implemented.

Allowing WVTA additional time to complete implementation of channel-sharing with WVER by April 11, 2019, will not divert resources away from other transitioning stations because both existing facilities and facilities that have already been authorized in the WVER DTS construction permit (as well as the related WVER DTS STA) will be used for the channel sharing, and otherwise in-house resources will be used.

As part of the most recent waiver and extension request (LMS File No. 0000055163), Vermont PBS's consulting engineers prepared two "combined threshold coverage" maps (re-submitted with this request) depicting PBS coverage in the area of WVTA by both Vermont PBS and other area PBS member stations (including out-of-state PBS member stations and two out-of-state translators that have some predicted terrain-sensitive coverage overlap with WVTA). One map includes WVTA (Figure 1) while the other does not (Figure 2). Near the bottom of each map is the total above threshold coverage, as predicted by TIREM. For the map that includes WVTA, approximately 6,766,300 persons are predicted to be covered, and for the map without WVTA, approximately 6,607,100 persons are predicted to be covered. Accordingly, approximately 159,200 people would lose PBS coverage if WVTA were to go off-air prior to implementation of WVER's DTS operations.

Additionally, we note that the loss of WVTA's service would leave many more viewers with reception of PBS programming only from out-of-state PBS signals that do not provide the Vermont PBS's exclusive Vermont-centric programming. Vermont PBS's service is distinctive, providing coverage of the Vermont state legislature and state elections that no out-of-state PBS station provides, as well as coverage of issues from a local perspective, such as featured coverage of Vermont's opiate addiction crisis. Local broadcasts are particularly relevant in Vermont, where many rural Vermonters do not have cable, cellphone service, or even local newspapers.

As demonstrated above, requiring the commencement of channel-sharing between WVTA and WVER before WVER can commence DTS operations would result in the loss of the only available over-the-air PBS service for a significant number of viewers. Accordingly, in order to complete the complex planning for WVER to provide service to the coming WVTA loss area, Vermont PBS requests an additional extension of the waiver of the Channel Sharing Implementation Deadline through April 11, 2019.

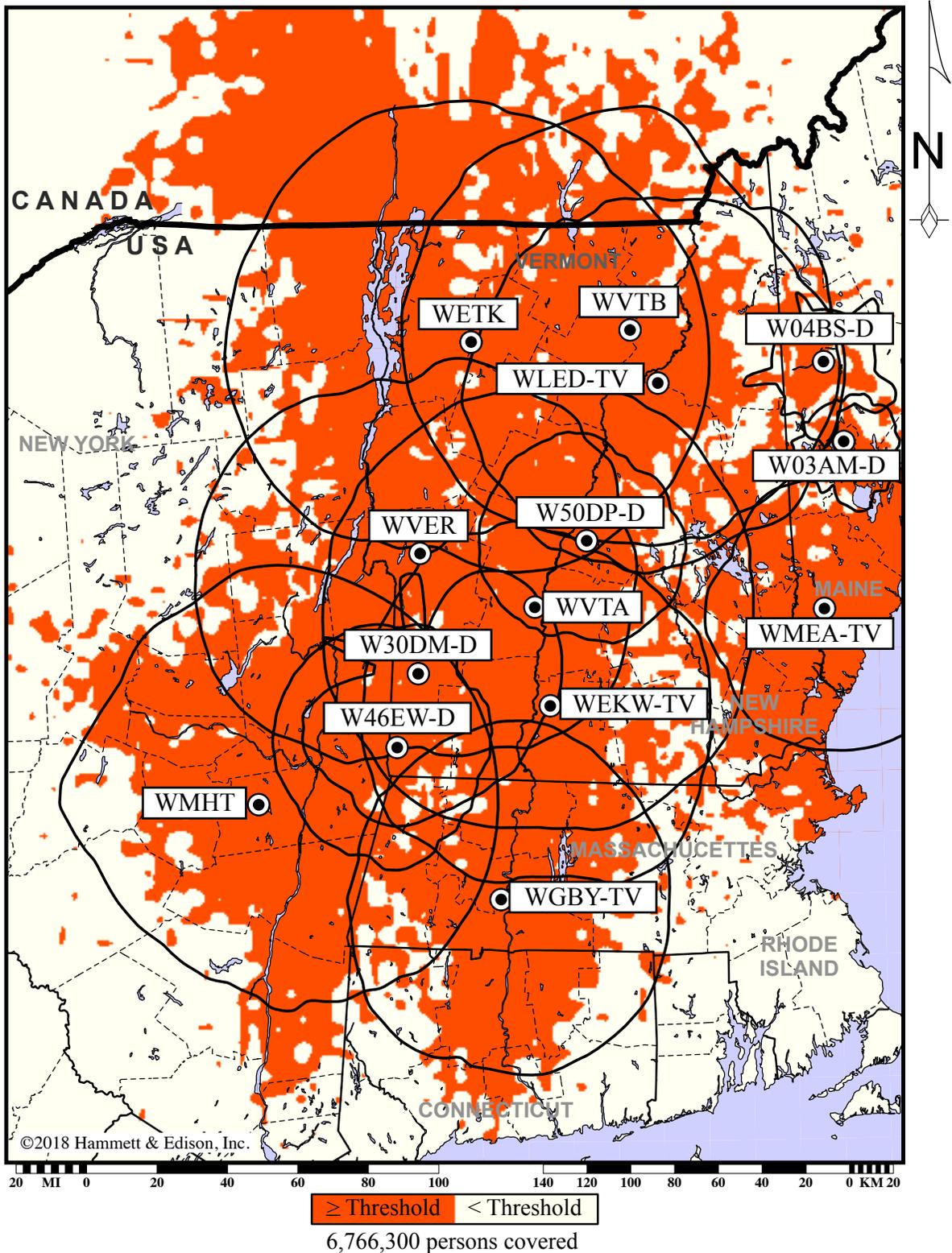
Finally, Vermont PBS notes that grant of the waiver will not delay the transition inasmuch as WVTA continued operation on Channel 24 would not *receive* interference caused by other stations changing channels in the repack until Phase 3 when WVTA would receive only minimal

interference from WIPL(DT) (formerly WPME(DT)), Lewiston, ME (Facility ID No. 48408). Also, WVTA's continued operation on Channel 24 would not *cause* any additional interference until Phase 4 (*i.e.*, WTEN(TV), Albany, NY (Facility ID No. 74422)). Please see the attached engineering statement for details.

GSB:9751649.2

Vermont ETV, Inc. • Colchester, Vermont

Combined Threshold Coverage Based on TIREM
for PBS Stations near WVTA (WVTA On-Air)



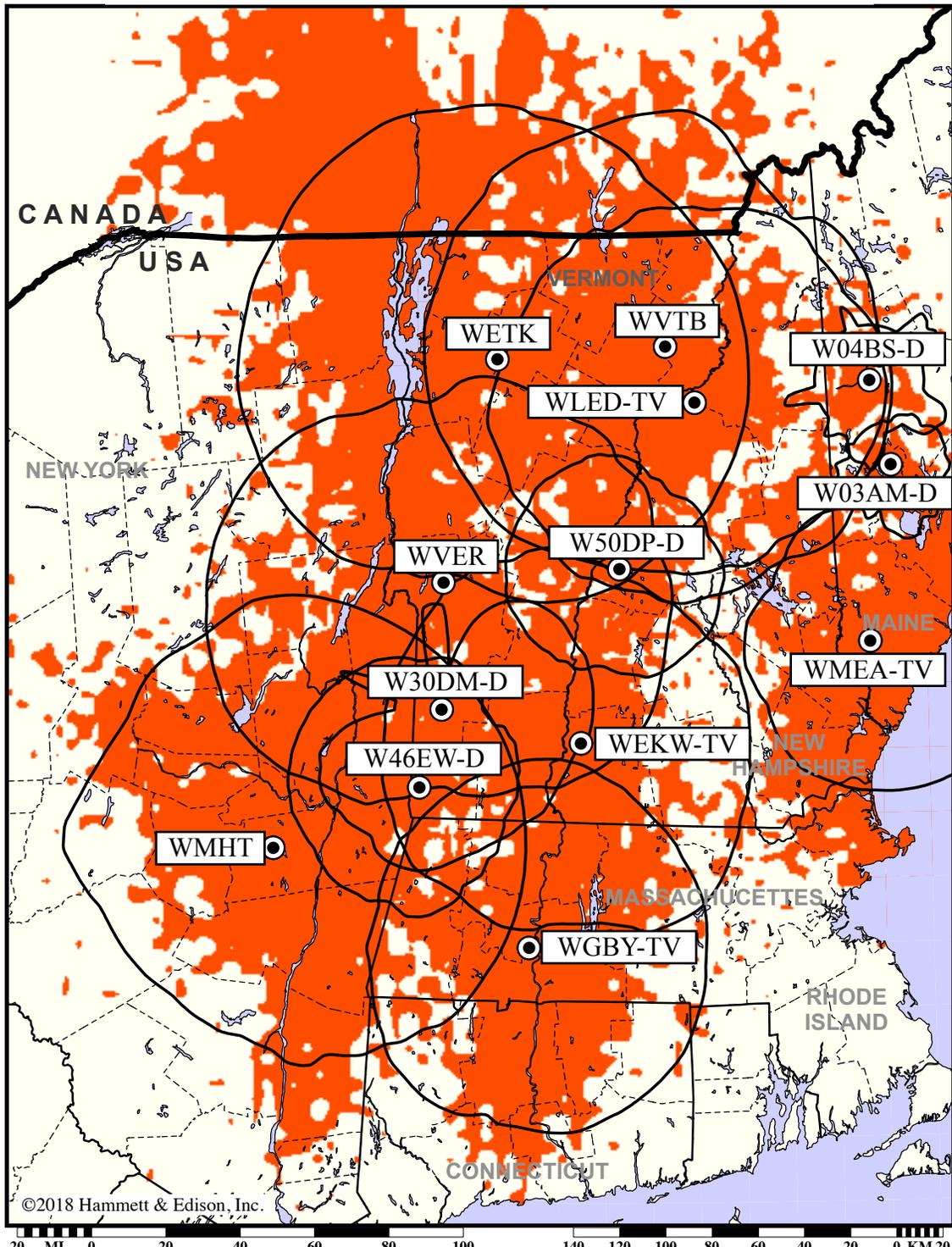
Albers equal area map projection. County lines, state lines, and International border shown taken from U.S. Census Bureau TIGER/Line 2010 data. Based on proprietary implementation of the JSC Terrain Integrated Rough Earth Model propagation algorithm using 3-second USGS digitized terrain data.



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

June 20, 2018
Figure 1

**Combined Threshold Coverage Based on TIREM
for PBS Stations near WVTA (WVTA Off-Air)**



6,607,100 persons covered

Albers equal area map projection. County lines, state lines, and International border shown taken from U.S. Census Bureau TIGER/Line 2010 data. Based on proprietary implementation of the JSC Terrain Integrated Rough Earth Model propagation algorithm using 3-second USGS digitized terrain data.



TV Station WVTA • Channel 24 • Windsor, Vermont

Post-Auction Interference Analysis

Statement of Hammett & Edison, Inc., Consulting Engineers

Hammett & Edison, Inc., Consulting Engineers, has been retained by Vermont ETV, Inc., licensee of TV Station WVTA, Channel 24, Windsor, Vermont, to prepare this engineering statement detailing predicted interference to post-auction facilities.

Background Information

WVTA presently operates from Mt. Ascutney in southeastern Vermont on Channel 24 using an omnidirectional antenna operating at 55.7 kW effective radiated power. In the recent FCC broadcast incentive auction WVTA relinquished Channel 24. Earlier this year, WVTA requested and was granted a waiver of the July 23, 2018, deadline to discontinue operations on Channel 24 until November 30, 2018, the completion date for Phase 1 of the transition. As detailed elsewhere in this filing, WVTA requests a further extension, until the start of the testing period for Phase 3, of the deadline to discontinue operations on Channel 24.

Post-Auction Interference Analysis

Using the Commission's TVStudy software in TV Interference Check mode with default parameters, the licensed Channel 24 WVTA facility is predicted not to cause greater than *de minimis* (0.50%) interference to any Phase 1, Phase 2, or Phase 3 stations. Greater than *de minimis* interference is predicted to three stations, one Phase 4 and two Phase 7:

WTEN, Channel 24, Albany, New York, Phase 4 (1.4% unmasked interference caused)

WLED-TV, Channel 23, Littleton, New Hampshire, Phase 7 (3.8% unmasked interference caused)

WLNE-TV, Channel 24, New Bedford, Massachusetts, Phase 7 (1.6% unmasked interference caused)

In addition, the licensed Channel 24 WVTA facility is predicted not to receive greater than *de minimis* interference from any Phase 1 or Phase 2 stations. Greater than *de minimis* interference is predicted to be received from four stations, one Phase 3, two Phase 4 and one Phase 7:

WIPL, Channel 24, Lewiston, Maine, Phase 3 (0.75% unmasked interference received)

WTEN, Channel 24, Albany, New York, Phase 4 (11% unmasked interference received)

WPXG-TV, Channel 23, Concord, New Hampshire, Phase 4 (19% unmasked interference received)

WLNE-TV, Channel 24, New Bedford, Massachusetts, Phase 7 (15% unmasked interference received)

Conclusion

WVTA can continue to operate its licensed Channel 24 facility until the start of the testing period for Phase 3 without causing greater than *de minimis* interference and without receiving greater than *de minimis* interference from any post-auction facility.

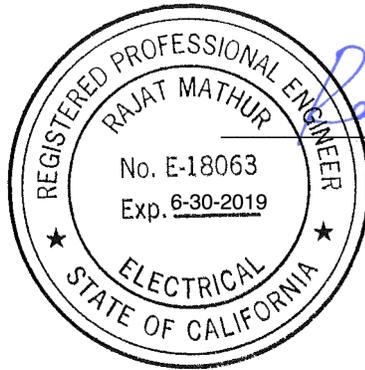


Post-Auction Interference Analysis

Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration No. E-18063, which expires on June 30, 2019. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.

October 31, 2018



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