

Minority Brands, Inc.

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January 21, 2018

FCC Registration Number: 0023825680

FCC Facility ID Number: 54414

Call Sign: WDEM CD

To whom it may concern

This application, file number 66960, was filed on January 14, 2019, requesting a potentially needed 180-day extension period to meet the Phase 2 required changeover date of April 12, 2019 to assigned Post Auction Channel Facility for WDEM-CD, facility ID 54414.

The FCC has granted transfer of license from Minority Brands, Inc. to HC2, Inc. While waiting for the transfer to be consummated, Minority Brands, Inc. and HC2, Inc. are working closely on the repack project. In review of the initial application and after conversations with FCC staff, we are submitting this additional documentation in support of the request for extension of the repack deadline.

We are striving to reach the assigned Phase 2 repack date of April 13, 2019, however circumstances, as outlined, below are eliminating certainty that date will be met.

Specific reason “other” category overview:

In the TV auction and repack, WWHO-DT, facility ID 21158 was assigned channel 23 and placed in conversion Phase 6 and WDEM-CD, facility ID 54414 was assigned channel 24 and placed in conversion Phase 2. In the modification phase of filing, WWHO-DT filed to relocate origination of broadcast to antenna registration number 1011933 and WDEM-CD file to modify its coverage pattern to a full omni pattern. On January 31, 2018, the FCC notified Minority Brands that engineering analysis determined that the application of WWHO-DT to relocate and the application of WDEM-CD to change signal patterns were mutually exclusive and that an MX resolution must be filed.

Engineering consultants working for Minority Brands, Inc. and for Manhan Media, Inc. determined that the interference causing the MX would be resolved by locating both stations on the same broadcast antenna. On May 3, 2018, WDEM-CD and WWHO-DT filed modifications to their applications for construction. The application included engineering documentation certifying that interference would be eliminated and an MX resolution agreement, signed by both parties.

The application for MX resolution for WDEM-CD was approved by the FCC on July 30, 2018. The resolution document states that WDEM-CD will be relocated to a 750-foot location on the tower using existing 3 1/8” copper feed line. The MX resolution also allocated a tower position of 450 feet for the W23BZ-LD antenna included in the negotiations.

Exhibit Number 1 – FCC 337 Application For Extension of Time To Construct A Digital Television Broadcast Station

Antenna registration number 1011933 is owned by Sinclair Communications, LLC. Full power Columbus stations WSYX-DT and WTTE-DT both originate from the tower. Sinclair is working with structural engineering firm Stainless to design and install the additional 3-ton WWHO-DT antenna at the top of the tower and to add the WDEM-CD and W23BZ-LD side mount antennas. This work is taking considerable time as the increase to the tower is significant. Additionally, the antenna is in the immediate vicinity of a residential district. Helicopter installation options are not allowed by code, so the project must be designed to be completed via tower crane.

Minority Brands, Inc. began conversations with Sinclair's Columbus, Ohio chief engineer responsible for the antenna. The paperwork he had received regarding the project stated that WDEM-CD and WWHO-DT would be co-located in a top mounted antenna and that there would be a single side mounted antenna. This differed from the MX resolution statement of two side-mount antennas. Minority Brands, Inc. was not able to make head way regarding the project as the Columbus chief engineer was waiting for clarification from regional and national engineers on the discrepancy between the MX resolution document and his paperwork regarding the project.

Without this clarification, it was not possible to order the broadcast antenna necessary to complete the retune of WDEM-CD to its post auction assignment.

It is worth noting here that WWHO-DT is assigned to Phase 6 of the repack schedule and does not face the same deadline as WDEM-CD, assigned to Phase 2 of the repack schedule.

When the delay in clarification extended beyond a reasonable time, the engineering team at HC2, Inc. reached out to their contacts at Sinclair directly in mid-December. This assisted the project, and final tower configuration was completed just after the holidays. Sinclair's top engineering team met regarding all aspects of the project on Monday, January 14 and made final determinations.

The antenna for WDEM-CD was ordered on Monday, January 14 immediately following that final assessment. Estimated delivery date for the antenna is the last week in March.

Minority Brands, Inc., HC2, Inc, and Sinclair Broadcasting, LLC, are working closely together to get the antenna hung in a timely manner. In order to make the April 12 date, everything has to go perfectly, which we know it seldom ever does. If the antenna is delayed at all, due to weather issues or rigging problems, the April 12 date will likely be missed. It is unlikely that a full 180 days of extension will be necessary, but the exact timeline cannot be determined now.

In review of the complex tower design and install project, and the extensive coordination already completed and continuing to be needed between Minority Brands, Inc., HC2, Inc., and Sinclair Broadcast, LLC., we respectfully request AN extension be granted beyond the April 12 date for the retune of WDEM-CD to its post auction channel 24 facility.

Sincerely,

Richard c. Schilg, President
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