

LMS File No. 0000051604
WIDN-LD, Facility ID 183590, Rockford, IL
DTV America Corporation

**AMENDMENT AND REQUEST FOR WAIVER OF CONTINGENT APPLICATION
RULES**

Applicant respectfully submits this request for a waiver of the FCC’s “contingent applications” rule.¹ Additionally, a *TVStudy* is attached for the Commission’s review to support the engineering presented in the application.

Applicant has used *TVStudy* to identify channel 33 as an available channel for the station’s proposed displacement facility. Applicant’s proposed displacement channel is either a channel voluntarily relinquished by a License Relinquishment Station, Channel Sharing Station or Band Changing Station, or a pre-auction channel of a Reassigned Station. Applicant therefore requests a waiver of the contingent applications rule as allowed for under the *Special Displacement Window Public Notice*.²

The Commission may waive any provision of its rules on its own motion or if an applicant shows good cause for a waiver.³ Granting Applicant’s waiver request will serve the public interest without resulting harm to the current licensee of channel 33. The FCC has recognized that allowing eligible stations to apply for pre-auction channels in the repacked television band that full power and Class A stations will relinquish through the incentive auction and repacking process will “ensure that as many potential channels as possible are available for operating LPTV/translator stations that are subject to displacement”⁴ Applicant agrees not to begin transmitting on channel 33 prior to discontinuation of operation by the station currently licensed to use the channel.⁵

¹ See 47 C.F.R. § 73.3517.

² See *Incentive Auction Task Force and Media Bureau Announce Post-Incentive Auction Special Displacement Window April 10, 2018, through May 15, 2018, and Make Location and Channel Data Available*, Public Notice, DA 18-124 ¶ 7 (IATF & MB Feb. 9, 2018) (“*Special Displacement Window Public Notice*”).

³ 47 C.F.R. §§ 1.3.

⁴ *Special Displacement Window Public Notice* ¶ 7.

⁵ See 73.3700(g)(2).