

### **Request for Extension of Time to Construct WCVB-TV's Full CP Facility**

Pursuant to Section 73.3700(b)(5)(iv) of the Commission's Rules, Hearst Stations Inc. (the "licensee" or "applicant"), licensee of WCVB-TV, Boston, Massachusetts (Fac. ID No. 65684) (WCVB-TV"), respectfully requests an extension of time to complete construction of its full, authorized post-transition facilities, i.e., the facilities specified in WCVB-TV's repack construction permit ("CP") issued in LMS File No. [0000024905](#) (the "Original Repack CP") (and subsequently expanded in LMS File No. [0000034567](#) (the "Expansion CP")).

With respect to the applicant's request to extend the deadline for construction of WCVB-TV's full post-transition repack CP facility (*see* LMS File Nos. [0000024905](#) and [0000034567](#)), Rule Section 73.3700(b)(5) authorizes the Media Bureau to grant a "reassigned" station (such as WCVB-TV) an extension of time to construct its full repack facilities of up to 180 days for a variety of reasons, which

"include but are not limited to:

- (A) Weather-related delays, including a tower location in a weather-sensitive area;
- (B) Delays in construction due to the unavailability of equipment or a tower crew;
- (C) Tower lease disputes;
- (D) Unusual technical challenges, such as the need to construct a top-mounted or side-mounted antenna or the need to coordinate channel changes with another station; and
- (E) Delays faced by licensees that must obtain government approvals, such as land use or zoning approvals, or that are subject to competitive bidding requirements prior to purchasing equipment or services."

47 C.F.R. § 73.3700(b)(5)(ii). *See also Incentive Auction Task Force and Media Bureau Announce Procedures for the Post-Incentive Auction Broadcast Transition*, Public Notice, 32 FCC Rcd 858 (2017), ¶ 41.

The principal reason affecting the licensee's ability to fully construct the full, final WCVB-TV post-transition facility by the Original Repack CP's August 2, 2019, deadline relates to the complexity of the tower and transmitter site where WCVB-TV is located. More specifically, WCVB-TV currently utilizes an antenna and transmission line which is shared with three other television stations—WBZ-TV, WGBX-TV, and WSBK-TV—all of which are transitioning to new channels. In addition, the tower also hosts WGBH-TV, WYDN(TV), WBTS-LD, WBUR-FM, and WKLB-FM. The tower landlord, American Tower, recently constructed a new, side-mounted antenna system, which is currently operating as the interim facility for WFXT(TV). At the Phase 4 transition, this new, side-mounted antenna will become the interim main facility for WUTF-TV and the auxiliary for WFXT(TV).

The coordination necessary between and among the current television stations at this site (all 7 of which are changing channels as part of the repack) and the two FM operators makes this one of the most complex repack sites in the country. In addition, the tower will also need to undergo structural reinforcement prior to the installation of the final post-transition equipment, which will include the addition of a second side-mounted antenna to accommodate the post-Phase 4 relocation of WNEU-TV's main transmit facility. (To call the overall transition project at this site "complicated" is probably a gross understatement!)

Of course, minimization of off-air time is critical for the viewers and listeners of each of the stations at the shared site because they are located in a Top 10 Designated Market Area<sup>1</sup> (for TV) and Top 10 Audio Market<sup>2</sup> (for the FM stations). Literally millions of people depend on the continued service provided by each of the stations located at the shared site. These factors are the type of situation referred to in Rule Section 73.3700(b)(5)(ii)(D), rendering WCVB-TV eligible for a repack CP extension. As part of the overall site transition plan—which was developed cooperatively by the site manager/tower landlord (American Tower) and the repacked stations at the shared site—WCVB-TV will be transitioning at the end of Phase 4 to its post-transition channel on interim facilities located at a different tower site, using the auxiliary antenna applied for and granted (on April 16, 2019) in LMS File No. [0000071503](#). Thus, an extension of WCVB-TV's repack CP will not affect the nationwide transition or the transition plan for the shared site because WCVB-TV will still terminate its pre-transition channel operations and will commence operations on its post-transition channel by the end of Phase 4. In fact, extension of WCVB-TV's repack CP will help to *facilitate the transition at the shared site* because WCVB-TV's transition using interim facilities is part of the cooperative, jointly planned repack project for the site.

Accordingly, the applicant requests an additional 180 days (i.e., until January 29, 2020) to construct its full, authorized repack CP facilities. Please note: as of the date of this filing, it is unclear whether six months of additional time will be enough to complete construction of WCVB-TV's full repack CP facility, particularly since the shared tower site is located in New England, where the weather can (and almost certainly will) complicate the timing of the tower reinforcements and the rest of the final CP buildout.

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<sup>1</sup> A list of Nielsen Designated Market areas is available at <https://www.nielsen.com/content/dam/corporate/us/en/public%20factsheets/tv/2018-19-dma-ranker.pdf>.

<sup>2</sup> A list of Nielsen Audio Markets is available at <https://www.nielsen.com/content/dam/corporate/us/en/docs/nielsen-audio/market-populations-and-rankings.pdf>.