

## Statement in Support of Request for Temporary Extension of Experimental Authorization for KFPH-CD ATSC 3.0 Operations

Unimas Partnership of Phoenix (“Applicant”), licensee of Class A television station KFPH-CD, Phoenix, AZ (the “Station”), hereby requests that the Commission grant a single, six-month extension of its experimental authorization (the “Experimental Authorization,” File No. 0000048791) to allow for the continuation of testing of ATSC 3.0 operations on RF channel 35 in Phoenix. This extension request enjoys the support of Univision’s partners in the Phoenix model ATSC 3.0 market (“Phoenix Model Market”): Pearl TV, Fox Corporation, and NBCUniversal Media (together with Univision, the “Phoenix Partners”).

The current Experimental Authorization is set to expire on Sept. 17, 2019. Applicant recognizes and appreciates that the Media Bureau began accepting ATSC 3.0 license applications in LMS on May 28, 2019, having revised FCC Form 2100, and applicable schedules thereto, to enable stations to seek an ATSC 3.0 license.<sup>1</sup> The Media Bureau accordingly announced at that time that it would “no longer grant new experimental authorizations or extend existing authorizations, absent unique and compelling circumstances.”<sup>2</sup>

Such unique and compelling circumstances exist for this Extension Request. Applicant is not currently in a position to modify the Station’s license to specify ATSC 3.0 status. Among other factors, the Board of Directors of the Station’s parent, Univision, has publicly confirmed that it is exploring strategic options for the future of the company.<sup>3</sup> If the Station were unable to obtain the Extension Request, it would be forced to choose between two difficult alternatives: (1) file an ATSC 3.0 application by September 17, 2019, notwithstanding the ongoing exploration of strategic alternatives for the Station, or (2) “permanently cease ATSC 3.0 service and as applicable resume ATSC 1.0 service.”<sup>4</sup> Discontinuance of the Station’s ATSC 3.0 operations would undermine the public interest, however. In particular:

1. *The Station is key to the Phoenix Model Market and the development of ATSC 3.0.* The Station hosts the Phoenix Model Market station, which serves as a model, a test bed, and a place for industry to learn and grow ATSC 3.0’s capability. The Phoenix Model Market is an open industry development initiative that will bring to a close the early ATSC 3.0 design and planning phase while providing the industry with model TV service guidelines. The Phoenix Partners are investing in work that will benefit the U.S. broadcasting industry and the viewing public. The knowledge gained from

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<sup>1</sup> *Media Bureau Announces That it Will Begin Accepting Next Generation Television (ATSC 3.0) License Applications in the Commission’s Licensing and Management System on May 28, 2019*, GN Docket No. 16-41 at ¶ 8 (May 23, 2019) (the “ATSC 3.0 PN”).

<sup>2</sup> *Id.*

<sup>3</sup> See Press Release, Univision Communications Inc., Univision Confirms Review of Strategic Options (July 3, 2019), <https://corporate.univision.com/press/press-releases/2019/07/03/univision-confirms-review-of-strategic-options/#gs.z7hucy>.

<sup>4</sup> See ATSC PN at ¶ 8.

the Phoenix Model Market and the standards being developed are being shared openly across the industry.

2. *Nearly \$50 million has been invested in this Phoenix Model Market by numerous and diverse members of the industry.* Eleven television groups and stations participate in the Phoenix Model Market, in addition to the Station: Arizona State University's KAET (PBS); Arizona Television's KAZT-TV (independent); Scripps' KNXV-TV (ABC); Fox's KSAZ-TV (FOX) and KUTP (MeTV); Meredith's KPHO-TV (CBS) and KTVK (independent); Nexstar's KASW (CW); Telemundo's KTAZ (Telemundo); TEGNA's KPNX (NBC); and Univision's KTVW (Univision). In addition to these broadcasters, 22 vendor partners from across the broadcasting industry participate in the Phoenix Model Market. The Phoenix Partners estimate that more than \$44 million has been invested in the Phoenix Model Market—by broadcasters, transmission vendors, and consumer electronics manufacturers.
3. An extension is necessary to ensure that the important development and testing work ongoing in the Phoenix Model Market can continue.
  - a. *Simulcasting/Programming:* During the testing and conformance period, content on a ATSC 3.0 stream may not be “substantially similar” as the content on a ATSC 1.0 stream, as would be required under a permanent ATSC 3.0 license. Moreover, much of the temporary content sharing being done in Phoenix is being done informally, often on a handshake agreement. Drafting, negotiating and signing formal simulcasting agreements for all of this content would be difficult and disruptive at this time.
  - b. *Interoperability:* The Phoenix Model Market provides a critical test bed that allows industry to work out issues with interoperability, content security and delivery. For example, in recent weeks broadcast engineers and vendors were working on installing, configuring and trouble-shooting the latest generation of broadcast gateway and scheduler software at the Station.
  - c. *Vendor Participation:* Most of the equipment in the Phoenix Model Market is on loan from various broadcast vendors, and they are using this venue to refine their products. These loans are based on the expectation that the equipment that has been lent is being used for purposes of an experiment, not a commercial operation. Moreover, the vendors have provided equipment and expertise in order to demonstrate and improve their ATSC 3.0 capabilities. The experience gained at the Phoenix Model Market is helping to improve ATSC 3.0 launches throughout the country.
  - d. *Consumer Electronics (“CE”) Industry Participation:* CE manufacturers are still developing prototype television sets in the market. These prototypes do not yet implement many ATSC 3.0 features, and have not been through any conformance testing process. The Phoenix Partners daily provide conformance stream broadcasts for the CE manufacturers. This conformance testing is critical to both the broadcast equipment and receivers. CE

manufacturers have explained their need for a real-world location to test the U.S. implementation of ATSC 3.0 before committing their design to manufacturing. Most CE manufacturers will need to make production decisions in the fourth quarter of 2019 order to produce TVs for 2020. Disruption of this workflow could undermine the rollout of ATSC 3.0 in the marketplace generally.

- e. *Consumer Applications*: The framework for the consumer application that provides the enhanced experience for the end user is still in development. Some features are inward-facing such as service signaling, remote control navigation, application delivery, content security authentication, streaming playback controls and service management which enables the viewer's receiver to understand ATSC 3.0. Features that allow consumers to interact with the broadcast such as the setup screen with instructions and basic settings, app update notifications, call-to-action bug that alerts the user to interact with the receiver, home screen with broadcaster logo and brand, channel information, local time, global language selection, now watching, on next, and CC on/off indicator. The Phoenix Partners are working on a compressed timeline to finish application frame work by October 2019 to turn over to CE manufacturers for implementation and integration. This application, however, will require testing in an actual broadcast environment.

Notably, Univision does not anticipate seeking a further extension of the Experimental Authorization beyond the six-month extension sought herein. Thus, the extension sought will be limited in duration and will not undermine the Bureau's general policy of no longer granting experimental authorizations for ATSC 3.0 operation.

In light of the above, the Applicant respectfully requests a single, six-month extension of the Experimental Authorization, until March 17, 2020.