

## **Special Operating Conditions Exhibit**

KM LPTV of Atlanta, L.L.C. (“KM”), licensee of Class A television station WSKC-CD Atlanta GA (Facility ID No. 35090, “WSKC”), has completed construction of its new repack Channel 14 facilities in accordance with its construction permit (LMS File No. 0000034530, the “Permit”), conditions stated in the Permit, and the underlying application for the Permit. WSKC has returned to air under program test authority (“PTA”), but at reduced (approximately 40%) power, as permitted under Section 73.1560(d) of the Commission’s rules, 47 C.F.R. § 73.1560(d), and has filed the required notifications of resumption of operations and reduced power operation (LMS File Nos. 0000080966 and 0000080968, respectively).

The first special condition on the Permit requires KM, prior to commencing PTA operations of WSKC under the Permit, to take measures to identify and eliminate objectionable interference to existing land mobile radio (“LMR”) users on frequencies lower adjacent to Channel 14, and to submit a showing of compliance to the Commission as a request for PTA, prior to commencing PTA operation of WSKC. Pursuant to guidance from Commission staff, on September 4, 2019, KM submitted a request for PTA to the Commission staff informally (by email), including a proof of the transmitter provided by the transmitter vendor, a study conducted by KM’s consulting engineer identifying potentially affected LMR users, and KM’s efforts to identify and notify all potentially affected LMR users; the Commission then granted PTA that same date.

The second special condition on the Permit requires KM to identify and notify healthcare facilities within WSKC’s service area of the channel change; KM hired a contractor to complete this required notification, and has uploaded a certification from that contractor that the required notifications were completed.

The Permit also includes a general condition requiring compliance with representations in the application for the Permit and the Commission’s rules more generally. KM notes that with respect to the required notifications to consumers or viewers of the station, since WSKC was off the air for more than 30 days leading up to going on the air with its Channel 14 facilities, KM filed and has pending a request for legal special temporary authority (LMS File No. 0000080780) and waiver to permit use of alternate methods of viewer notification, through a local newspaper and AM radio station that both serve the same Korean language audience as WSKC, and KM has been proceeding with the alternate notifications proposed in that pending request; however, if the Commission requires any different or additional notification, KM would promptly comply with any such requirements.