



Federal Communications Commission
Washington, D.C. 20554

October 2, 2019

Unimas Partnership of Phoenix
Christopher G. Wood
5999 Center Drive
Los Angeles, CA 90045

KFPH-CD, Phoenix, AZ
Facility ID No. 2739
File No. 0000080914

Dear Licensee:

By this letter, and pursuant to sections 5.201, 5.601, and 5.602 of the Commission's experimental rules (Rules), we grant the above-captioned application to extend experimental authority filed by Unimas Partnership of Phoenix (Unimas), licensee of Class A television station KFPH-CD, Phoenix Arizona (KFPH-CD or Station).¹

On March 29th, 2018, the Video Division granted Unimas experimental authority to deploy an ATSC 3.0, or "Next Generation Television," broadcast signal and convert KFPH-CD's broadcast facility to ATSC 3.0.² Unimas requested this experimental authority to participate in the ATSC 3.0 broadcast "test bed," referred to as the Phoenix Market Trial. Currently, eleven stations and groups are participating in the Phoenix Market Trial, with KFPH-CD acting as the ATSC 3.0 host station. The stated purpose for establishing the Phoenix Market Trial was to:

1. Test ATSC 3.0 television service, as well as new business models;
2. Develop a framework to facilitate nationwide deployment of ATSC 3.0 service, including best practices;
3. Test consumer devices; and
4. Collect real-time consumer input through surveys and focus groups.³

In addition to complying with all the rules set forth under the Commission's *ATSC 3.0 Report and Order*,⁴ Unimas's grant was subject to additional conditions addressing, among other things, the transmission and carriage of Unimas's ATSC 1.0 simulcast.⁵

¹ 47 CFR §§ 5.201, 5.601, and 5.602.

² Letter from Barbara A. Kreisman, Chief, Video Division to Unimas Partnership of Phoenix (Mar. 29, 2018) (on file at LMS file No. 000004879) (*Unimas Experimental Grant Letter*).

³ *Id.*

⁴ *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*, GN Docket No. 16-142, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 9930 (2017) (*ATSC 3.0 Report and Order*).

⁵ *Unimas Experimental Grant Letter* at 3-4.

On March 18th, 2019, Unimas was granted a six-month extension of its experimental authority. Unimas requested this extension to continue testing ATSC 3.0 services, specifically to:

1. Secure the signal from hacking;
2. Reduce channel change time and examine other broadcast equipment and receiver performance improvements;
3. Examine transport functionality;
4. Provide a mechanism for conformance and broadcast equipment inter-operation; and
5. Create test streams for use in future equipment design.⁶

Unimas also justified the extension stating that stations participating in the Phoenix Market Trial were still determining what a transition to ATSC 3.0 would mean for their agreements with MVPDs.⁷ Additionally, equipment manufacturers were continuing to use the Phoenix market to develop ATSC 3.0 products. For these reasons, we granted Unimas's request for extension.

On September 4th, 2019, Unimas filed the above-captioned application seeking a second six-month extension of its experimental authority.⁸ Unimas explains that an additional six-month extension of experimental authority is needed to allow broadcasters to continue "important development and testing work."⁹ The Phoenix Market Trial includes 11 Stations, and multiple CE manufacturers and broadcast equipment vendors. Unimas reports that consumer applications that provide the enhanced experiences expected of ATSC 3.0 are still in development, as is the framework for applications that will allow for interactive features.¹⁰ According to Unimas this development requires additional testing in an actual, real-world broadcast environment.¹¹ Unimas explains that, as permitted by their experimental authorizations, the content being aired by ATSC 3.0 guest stations on KFPH-CD's ATSC 3.0 stream does not need to be "substantially similar," as would be required under a permanent ATSC 3.0 license, to the content aired by those station's ATSC 1.0 stream.¹² Moreover, most of the content arrangements, given their temporary nature under an experimental authorization, have been done "informally."¹³ According to Unimas, "drafting, negotiating and signing formal simulcasting agreements for all of this content would be difficult and disruptive at this time"¹⁴ and "could undermine the rollout of ATSC 3.0 in the marketplace."¹⁵

⁶ LMS 0000067918 at KFPH EA Renewal Narrative 1-2 (filed Feb. 15, 2019).

⁷ *Id.* at 2.

⁸ LMS 0000080914, Statement in Support of Request for Temporary Extension of Experimental Authorization for KFPH-CD ATSC 3.0 Operations, (filed Sep. 4, 2019) (Extension Narrative).

⁹ *Id.* at 2.

¹⁰ *Id.* at 2-3

¹¹ *Id.*

¹² *Id.* at 2.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.* at 3. Unimas also contends that a six-month extension would also be beneficial for both broadcast equipment manufacturers and consumer electronics (CE) vendors. Further experimentation is needed to ensure that different manufacturers' equipment will be compatible and to increase market choice for broadcast equipment and consumer electronics. Unimas also states that consumer electronics manufacturers are in different stages of product

We find that the public interest will be served by extending Unimas's experimental authority for an additional six months. We agree that granting an extension of the existing experimental authority will help advance the technical capabilities of Next Gen TV and allow participants in the Phoenix Market Trial to establish the necessary agreements in order to comply with our rules. Unimas states that it does not plan to seek a further extension of the Experimental Authorization beyond the six-month extension sought in the instant application and, in granting this waiver, we rely on this representation.

Accordingly, the request for extension of experimental authority filed by Unimas **IS GRANTED** pursuant to 47 CFR §§ 5.201, 5.601, and 5.602,¹⁶ and subject to the following conditions:

1. This experimental authorization expires six months from the date of this letter, subject to the terms and conditions set forth herein. The Bureau expects that no further renewals will be necessary.¹⁷
2. The Station is permitted to transmit a signal using the Next Generation TV transmission standard, as defined under 47 CFR § 73.682. The Station must transmit at least one free over the air video programming stream on its ATSC 3.0 signal. Such signal must serve the Station's DTV noise-limited service contour.
3. KFPH-CD must simulcast the primary video programming stream of its ATSC 3.0 channel in an ATSC 1.0 format as a guest on KTVW-DT for the duration of this authorization. The programming aired on the ATSC 1.0 simulcast signal must be "substantially similar" to that aired on its ATSC 3.0 primary video programming stream, as defined by 47 CFR § 73.6029(b).
4. Unimas must obtain Commission approval prior to moving its ATSC 1.0 simulcast signal to another facility and provide advanced 30-days' notice to viewers and 120-days' notice to MVPDs.
5. Unimas must notify the Bureau at least 30 days before ceasing ATSC 3.0 and resuming ATSC 1.0 transmissions if ATSC 3.0 service is to be discontinued prior to the authorization's expiration date.
6. Any other station that intends to participate in the Phoenix Market Trial must file its own application for experimental authority, or extension of experimental authority, in order to (1) convert its facilities to ATSC 3.0, (2) transmit an ATSC 3.0 signal as a guest station, or (3) act as an ATSC 1.0 simulcast host. Any authority granted to another station to participate in the Phoenix Market Trial will be subject to the same terms and conditions, including expiration date, as those adopted herein. Our action herein does not extend the experimental authorization for any ATSC 3.0 guest station. Such stations must file separately for any extension. Any experimental authority granted to another station that is part of the Phoenix market Trial may be subject to the same terms and conditions, including expiration date, as those adopted herein.

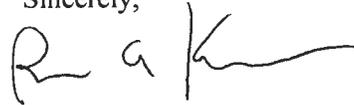
development and providing a real-world test environment aids in ensuring consumer electronics will be ready for market deployment in 2020.

¹⁶ This action is being taken by the Video Division pursuant to the authority delegated to the Media Bureau under 47 CFR § 0.61.

¹⁷ *Media Bureau Announces That It Will Begin Accepting Next Generation Television (ATSC 3.0) Licenses Applications in the Commission's Licensing and Management System on May 28, 2019*, GN Docket No. 16-142, Public Notice, 34 FCC Rcd 3684, 3687, para. 8 (2019).

7. Both KFPH-CD's ATSC 1.0 simulcast signal and its ATSC 3.0 signal must comply with all programming, technical, and operational obligations applicable to a class A television licensee, including the obligation to broadcast a minimum of at least 18-hours per day and air an average of at least three hours per week of locally produced programming each quarter.¹⁸ Unimas will be held liable for any violations of the Communications Act of 1934, as amended, the Commission's rules, or regulations resulting from the transmission of its ATSC 1.0 simulcast signal.
8. Grant of the extension of experimental authority does not represent that KFPH-CD would be granted a license to transmit an ATSC 3.0 signal, pursuant to the ATSC 3.0 rules. Such an evaluation will occur once Unimas files the appropriate application with the Commission.
9. Any broadcaster equipment or end-user devices must receive (as applicable) the necessary Commission equipment authorizations prior to use.
10. The station must take all steps necessary to ensure that its MVPD carriage is not interrupted, and this authorization may be immediately terminated if MVPD carriage of KFPH-CD's ATSC 1.0 simulcast stream is interrupted.
11. This experimental authorization has been granted on a non-interference basis (e.g., 47 CFR § 5.84) and may be immediately terminated if the operation causes harmful interference to any other licensed user (e.g., licensed broadcast operations or licensed wireless microphones) or if Unimas fails to comply with the conditions of grant. The Bureau, without the consent of Unimas, may modify the terms of or terminate this authorization for any other reason upon at least 60-days written notice to Unimas.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara A. Kreisman', with a long horizontal flourish extending to the right.

Barbara A. Kreisman
Chief, Video Division
Media Bureau

¹⁸ 47 CFR § 73.6001(b)