

## **BASIS FOR REQUEST FOR STA**

Channel 51 of San Diego, Inc. (“Channel 51”) hereby submits this request for Special Temporary Authority (“STA Request”) to operate Low Power TV (“LPTV”) station K12PO, Temecula, CA, on VHF Channel 3 at the parameters specified in this request for STA. Channel 51 continues to support the grant of its Displacement Application to operate on Channel 15, but in the interest of restoring programming to the residents of Temecula as quickly as possible, Channel 51 files this STA Request.

Grant of the instant STA Request will allow Channel 51 to return its LPTV station to the air and restore the station’s free, over-the-air broadcast service to viewers in the Temecula area pending the resolution of The County of Los Angeles, California’s objections and the Commission’s disposition of Channel 51’s Displacement Application. It will also allow K12PO to avoid potential license expiration under Section 312(g) of the Communications Act, as amended, as there are currently no alternative means by which the station can resume operations.

Station K12PO began broadcasting on Channel 12 in Temecula in February 2004. As part of the repack following the FCC’s Incentive Auction (Auction 1000), the FCC ordered station KDOC-TV, Anaheim, CA to change its over-the-air channel to Channel 12. In anticipation of that change, Channel 51 submitted the Displacement Application during the filing window for such applications, proposing operations on Channel 15. There were no other comparable channels available in the area. KDOC-TV began broadcasting on Channel 12 on March 14, 2019. The next day, Channel 51 took station K12PO off the air. The station has remained silent since that time while waiting for action on Displacement Application.

Channel 51 has been the licensee of LPTV station K12PO since February 2004. The station has been rebroadcasting the programming of licensee's full-power station KUSI-TV, San Diego, California and providing residents of the Temecula area with a free, over-the-air means of viewing KUSI-TV. The Temecula area is in a terrain-blocked valley and residents there do not receive over-the-air signals from the Los Angeles TV stations. Although Temecula is in Riverside County, which is in the Los Angeles DMA, the Temecula area has become a bedroom community for northern San Diego County's labor pool. Many residents of the Temecula area commute to the San Diego area for employment. In addition, the Temecula area has many residents who are retired and living on fixed incomes, and who might prefer free over-the-air television rather than pay TV service.

KUSI-TV is an independent station that focuses on programming of interest to residents of the San Diego area, including locally-produced news. KUSI-TV produces and broadcasts 62.5 hours of local news each week, as well as a one-half hour weekly community affairs program. If there is an emergency situation in the area, KUSI-TV is in the unique position of being an independent station that can broadcast news of local events as they are occurring, without the constraints of a network affiliation agreement. Most, if not all, of this programming is of interest to residents of the Temecula area.

Grant of the STA Request will allow Channel 51 to return its LPTV station to the air and restore the station's free, over-the-air broadcast service to viewers in the Temecula area. Today K12PO is off-the-air through no fault of the licensee, and every day the station is dark is a day that the residents of Temecula miss out on local news, public affairs programming, and other programming of interest to them. Accordingly, FCC grant of the application will serve the public interest, convenience and necessity.