

Request to Modify Phase Assignment

NBC Telemundo License LLC, the licensee of KMUM-CD, Sacramento, California (FIN 18736), hereby respectfully requests that the Commission modify the post-incentive auction transition schedule to allow KMUM-CD to test and transition to its post-auction channel facility in transition phase 10 instead of transition phase 9.

The FCC assigned KMUM-CD to be repacked from channel 31 to channel 19 in transition phase 9 with a phase completion date of May 1, 2020. Although KMUM-CD was on track to transition to its post-auction channel facility by the phase 9 completion date, the station's transition has been delayed due to circumstances related to the COVID-19 pandemic. Specifically, the contractor scheduled to install the station's new repack channel antenna is no longer available in time to meet the phase 9 completion date due to the COVID-19 pandemic. The station will need to reschedule this contractor or engage an alternate contractor when conditions permit.

In the *Coronavirus (COVID-19) Pandemic Guidance Public Notice*, the Commission recognized that construction and delivery delays as well as efforts undertaken by stations to protect the health of their employees and families in connection with the COVID-19 pandemic are circumstances outside of a station's control.¹ As a result, the Commission announced in the public notice that any station scheduled to complete its repack transition in phase 9 that can no longer meet the May 1, 2020 phase 9 deadline would be granted a waiver of the transition phase 9 deadline and reassigned to transition phase 10.

In the instant case, KMUM-CD is unable to complete construction of its post-auction channel facility by the May 1, 2020 phase 9 deadline due to circumstances resulting from the COVID-19 pandemic. Further, there will be no negative impact on the overall transition schedule. KMUM-CD is not part of any linked set, and thus KMUM-CD will not cause prohibited interference to any station by transitioning in phase 10.

Accordingly, a grant of the requested modification of the transition schedule for KMUM-CD to transition to its post-auction channel facility in transition phase 10 instead of phase 9 will serve the public interest by permitting KMUM-CD to continue serving viewers while the station completes its transition to its repack channel.

¹ See *Guidance for Stations in Phase 9 of the Post-Incentive Auction Transition as a Result of the Novel Coronavirus (COVID-19) Pandemic*, Public Notice, DA 20-282, released March 17, 2020 (“*Coronavirus (COVID-19) Pandemic Guidance Public Notice*”).