

## REQUEST FOR WAIVER OF PHASE ASSIGNMENT

Nexstar Broadcasting, Inc. (“Nexstar”), licensee of the stations (the “Stations”) included in Exhibit A, seeks a waiver of each Station’s Post-Incentive Auction Transition Phase assignment, and corresponding testing dates and construction completion deadlines. Pursuant to the *Closing and Reassignment Public Notice*, the Stations have been assigned to Transition Phase 9, for which the Phase Completion Date is May 1, 2020.<sup>11</sup> Due to consequences related to the spread and quarantine efforts of COVID-19, and pursuant to the Commission’s Public Notice, DA 20-282 (“COVID-19 PN”)<sup>2</sup>, Nexstar seeks modification of the Stations’ current Phase 9 transition phase assignments to Transition Phase 10, with a Phase Completion Date of July 3, 2020, which would extend the current construction period by approximately two (2) months.

In addition to the Commission’s *Transition Scheduling Adoption Public Notice*, which permitted stations to propose “alternative transition solutions that could create efficiencies,” and held that a request to modify a station’s transition deadline would be viewed favorably if the request is “otherwise compliant with [FCC] rules and [has] little or no impact on the phase - assignments or transition schedule,”<sup>3</sup> the COVID-19 PN provides that “any station scheduled to complete its transition in phase 9 that believes it may be unable to meet the May 1, 2020, deadline will be granted a waiver of the phase 9 deadline and reassignment to phase 10, which begins on May 2, 2020, and ends on July 3, 2020.” Nexstar’s instant request qualifies for said relief.

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<sup>11</sup> *Incentive Auction Closing and Channel Reassignment Public Notice: The Broadcast Television Incentive Auction Closes; Reverse Auction and Forward Auction Results Announced; Final Television Band Channel Assignments Announced; Post-Auction Deadlines Announced, Public Notice*, 32 FCC Red 2786 (WTB & MB 2017) (Closing and Channel Reassignment Public Notice).

<sup>2</sup> *Guidance For Stations In Phase 9 Of The Post-Incentive Auction Transition As A Result Of The Novel Coronavirus (Covid-19) Pandemic*, DA 20-282, MB Docket No. 16-306, GN Docket No. 12-268 (rel. Mar. 17, 2020).

<sup>3</sup> *Incentive Auction Task Force and Media Bureau Adopt A Post-Incentive Auction Transition Scheduling Plan*, MB Docket No. 16-306 and GN Docket No. 12-268, 32 FCC Red 890, 913 ¶ 51 (MB 2017) (Transition Scheduling Adoption Public Notice), citing Incentive Auction Task Force and Media Bureau Seek Comment on Post-Incentive Auction Transition Scheduling Plan, Public Notice, 31 FCC Red 10802 (MB 2016) (Transition Scheduling Proposal Public Notice).

As demonstrated herein, good cause exists for waiver of the assigned Transition Phase and its attendant testing and completion dates because it will serve the public interest by facilitating an orderly and efficient transition, avoid inefficient use of already scarce rigging resources and eliminate the need to have the Stations go dark unnecessarily for any length of time.

As a consequence of the Commission's Incentive Auction, the Stations are required to transition from their current, pre-transition channels to their post-auction channels by or before the conclusion of Phase 9, which is slated for May 1, 2020. As stated in the COVID-19 PN, at least one rigging service provider has ceased operations. Although some rigging service providers remain willing to continue installation projects, they are faced with limited or non-existent temporary housing and access to food and other necessary supplies. In addition, equipment manufacturing and delivery services have also been impacted by COVID-19. Consequently, the Stations' transition to their respective post-auction channels will not occur by May 1, 2020. All delays were beyond Nexstar's control. Accordingly, Nexstar respectfully requests to delay the Stations transition until Phase 10. Furthermore, modifying the Stations' transition phase would ensure that the Stations continue to serve their respective communities during this national crisis.

Based on the facts above, grant of the requested waiver to modify the Stations' transition phase serves the public interest by conserving resources and averting a significant disruption of service to their respective communities of license.

EXHIBIT A

<b>Market</b>	<b>FAC ID</b>	<b>Call Sign</b>	<b>Pre</b>	<b>Post</b>	<b>Phase</b>
Tampa	64592	WFLA-TV	7	9	9
Austin	35911	KHPX-CD	28	29	9
Austin	35910	KHPZ-CD	15	25	9
Champaign	42116	WCIX	13	11	9
Waco	12522	KWKT-TV	44	28	9
Waco	60384	KYLE-TV	28	29	9
La Crosse	2710	WLAX	17	33	9