

REQUEST FOR WAIVER OF PHASE ASSIGNMENT

Mission Broadcasting, Inc. (“Mission”), licensee WYOU(TV), Scranton, Pennsylvania, FAC ID 17010 (the “Station”), seeks a waiver of the 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 Station has been assigned to Transition Phase 9, for which the Phase Completion Date is May 1, 2020.¹¹ 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”)², Mission seeks modification of the Station’s current Phase 9 transition phase assignment 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.

The Commission’s recent 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.” Mission’s instant request qualifies for said relief.

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 Station go dark unnecessarily for any length of time.

As a consequence of the Commission’s Incentive Auction, the Station is required to transition from its current, pre-transition channel 13 to its post-auction channel 12 by or before

¹¹ *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).

² *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).

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. Based on the constriction of available, and necessary, construction services, Mission does not believe the Station's final facility will be completed by the May 1, 2020 deadline. Accordingly, Mission respectfully requests to delay the Station's transition until Phase 10. Furthermore, modifying the Station's transition phase would ensure that the Station continues to serve its community of license during this national crisis.

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