

## Waiver of Phase Assignment

WPXS, Inc., licensee of WPXS(TV), Mount Vernon, IL (FID 40861), files this request for waiver of the post-Incentive Auction transition phase assignment and corresponding testing dates and construction completion deadlines for WPXS. WPXS was assigned to transition phase 9 pursuant to the *Closing and Reassignment Public Notice*.<sup>1</sup> WPXS now requests re-assignment to Transition Phase 10 due to circumstances related to the COVID-19 pandemic.

On June 19, 2017, WPXS timely filed its application for a minor modification to move from channel 11 to channel 13 as part of the post-Incentive Auction transition. File No. 0000025099. On September 6, 2017, WPXS timely filed an amendment to maximize its post-transition facility. File No. 0000029698. The Commission granted this application on October 2, 2017.

Recently, however, WPXS learned that delivery and installation of its antenna will be delayed due to circumstances related to the COVID-19 pandemic.

On March 17, 2020, the Commission issued a Public Notice “recogniz[ing] that the construction and delivery delays that are occurring as a result of the COVID-19 pandemic, as well as efforts undertaken by the stations themselves to protect the health of their employees and their families, result from circumstances outside of a station’s control.”<sup>2</sup> The Public Notice went on to state 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.” WPXS hereby requests the relief set forth in the *Phase 9 Guidance PN*.

Although WPXS is part of a linked set, it does not have any downstream dependencies.

Accordingly, the grant of this request will serve the public interest by permitting WPXS to continue serving viewers while the station completes its transition to its post-repack channel.

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<sup>1</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*, Public Notice, Mb Dkt. No. 16-306; GN Docket No. 12-268 (Mar. 17, 2020) (the “*Phase 9 Guidance PN*”).