

Request for Waiver of Phase Assignment Station WSET-TV

WSET Licensee, LLC (the “Licensee”), licensee of commercial television station WSET-TV, Lynchburg, VA, Facility ID No. 73988 (the “Station”), seeks waiver of the Post-Incentive Auction Transition Phase assignment, and corresponding testing dates and construction completion deadlines, for the Station. The Station has been assigned to Transition Phase 9, for which the completion date is May 1, 2020.¹ Due to delays outside of its control, the Licensee seeks to transition the Station to its permanent post-auction facilities during Transition Phase 10.

Construction of the Station’s facilities has been disrupted by the public health and travel restrictions imposed in order to slow the spread of the novel coronavirus (COVID-19). Although the Licensee has been working diligently to meet the Phase 9 transition deadline, it has experienced delays related to the COVID-19 pandemic, including delays involving equipment deliveries, and travel and safety related delays involving tower and transmitter crews and the Licensee’s own engineering personnel. It has become clear that these delays will result in the Licensee being unable to complete construction of the Station’s post-auction facilities by the Phase 9 completion date. The Media Bureau has recognized that COVID-19 related delays would impact the construction of post-auction facilities by certain Phase 9 stations and has determined that stations affected by such delays would be eligible for a waiver of their phase assignments.²

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 to minimize impacts on broadcast television viewers and post-auction transition resources. There are no television stations with direct downstream linkages to the Station, and so grant of the requested waiver would not impact the ability of any other station to transition to its permanent post-auction facilities by its assigned phase completion date. Additionally, the phase change will permit coordination and make more efficient the repack activities for the Station, resulting in reduced costs to the federal government, reduced exposure of workers to the COVID-19 virus, and maintenance of service to viewers at this critical time.

¹ *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).

² *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 (MB released March 17, 2020).