

Request for Special Temporary Authority

KJZZ Licensee, LLC (“Licensee”), licensee of KJZZ-TV, Salt Lake City, Utah (Facility ID 36607; RF Channel 19), hereby requests Special Temporary Authority in connection with KJZZ-TV’s transition to the ATSC 3.0 broadcast transmission standard and related proposal to broadcast KJZZ-TV’s non-primary programming streams (“multicast streams”) in ATSC 1.0 format on KUTV(TV), Salt Lake City, Utah (Facility ID 35823; RF Channel 34), and KTVX(TV), Salt Lake City, Utah (Facility ID 68889; RF Channel 30) (collectively the “multicast hosts”). Licensee requests that for purposes of enforcement and application of its rules, KJZZ-TV be treated as if it is airing the multicast streams over the multicast hosts’ facilities and be the responsible party under the Act and Commission rules and regulations akin to the manner that the Commission treats ATSC 1.0 primary simulcast streams under the Next Gen TV rules.

As indicated in KJZZ-TV’s Form 2100 application (*see* File No. 0000113900), Licensee proposes to (1) commence ATSC 3.0 operations from KJZZ-TV’s current facility and (2) simulcast its primary stream in ATSC 1.0 format on KUCW(TV), Ogden, Utah (Facility ID 1136; RF Channel 35), pursuant to a written hosting agreement. To minimize the loss of over-the-air programming to its current ATSC 1.0 viewers resulting from the station’s transition to ATSC 3.0, Licensee proposes to broadcast its existing Comet TV and DABL multicast streams using the facilities of commonly owned KUTV(TV) and to broadcast its existing TBD and Charge! multicast streams using the facilities of KTVX(TV) pursuant to a written hosting agreement with Nexstar Broadcasting, Inc. (“Nexstar”).

Because of ATSC 1.0 capacity constraints, KJZZ-TV is not able to air its multicast streams on KUCW(TV), its primary ATSC 1.0 simulcast host. Furthermore, due to ATSC 3.0 capacity and other constraints attendant with the multi-station and multi-market coordination needed for a successful ATSC 3.0 deployment across the country, it is not feasible for Licensee to simulcast KJZZ-TV’s multicast streams in an ATSC 3.0 format without unduly minimizing, if not largely eliminating, the benefits to the public and the participating stations of transitioning to ATSC 3.0. Simulcasting those streams in ATSC 3.0 would reduce capacity available to NextGen stations for offering consumers the improved services that ATSC 3.0 enables. The types of services and improvements that would be precluded would include enhanced video featuring High Dynamic Range, Wide Color Gamut and High Frame Rate, immersive and multiple audio channels using Dolby AC-4, Advanced Emergency Alerting and Information functions as part of a broadcast receiver application, and non-real time interactive data delivery. Each of these requires a portion of the ATSC 3.0 capacity that would be unavailable were Licensee to carry multicast program streams as the ATSC 3.0 lighthouse. Even setting aside these impediments, significant additional engineering work and more equipment would be required to simulcast KJZZ-TV’s multicast streams in ATSC 3.0 and ATSC 1.0 formats. Obtaining, installing and testing that equipment would, at minimum, delay rollout of ATSC 3.0 in the Salt Lake City market.

The hosting arrangements with the multicast hosts will serve the public interest by enabling nearly all over-the-air viewers to continue to have access to KJZZ-TV’s multicast streams – indeed, because KJZZ-TV, KTVX(TV), and KUTV(TV) all operate from the same transmitter site, their contours largely overlap and there is expected to be a loss area population of less than 0.1%. *See* attached engineering exhibit. Absent the arrangement with the multicast hosts all over-

the-air viewers would lose access to KJZZ-TV's multicast streams. Additionally, the arrangement will preserve access to those KJZZ-TV multicast streams currently received for viewers who are receiving them via MVPDs. As noted above, the multicast host stations' signal contours are largely the same as KJZZ-TV's contour. Licensee has also communicated and coordinated with MVPDs beyond the notice required under the Commission's rules and fielded questions from MVPDs to assist with a smooth transition. Licensee anticipates that MVPDs currently carrying KJZZ-TV's multicast streams will continue to receive a good quality signal of such streams from KUTV(TV) and KTVX(TV) over-the-air or via alternative delivery methods, such as direct fiber feed.

Although Licensee has agreed to indemnify Nexstar from and against all liabilities or claims resulting from or arising out of the programming and advertising broadcast on Licensee's program streams using KTVX(TV)'s facilities, Licensee is requesting the instant authorization to make clear that Licensee will remain responsible for these streams' compliance with the Communications Act and the Commission's rules and regulations. To alleviate any viewer confusion, the PSIP (virtual) channels for each of KJZZ-TV's program streams will remain unchanged and be identified as being associated with KJZZ-TV. We also note that Licensee does not currently, and does not intend to, rely on its multicast streams for compliance with the Commission's Children's Television Programming requirements, as KJZZ-TV averages at least three hours per week of core programming on its primary stream. As such, neither KJZZ-TV's compliance with the Commission's Children's Television Programming requirements nor viewers' access to the station's required core programming will be affected by any deviations in coverage (as shown in the engineering exhibit included with the application) resulting from the relocation of KJZZ-TV's multicast signals to KUTV(TV) and KTVX(TV)'s facilities. Licensee provided notice to the relevant MVPDs of its proposed multicast ATSC 1.0 signal relocations when it provided the requisite 120-day notice regarding relocation of KJZZ-TV's primary stream ATSC 1.0 signal. Licensee is also airing on KJZZ-TV, and has posted to its website, consumer notices regarding the station's transition to the ATSC 3.0 standard and the need for over-the-air viewers to rescan on June 30 to continue receiving KJZZ-TV's signals.

Grant of this STA request will serve the public interest, as it will advance the Commission's ATSC 3.0 policy goals while preserving KJZZ-TV's ability to air each of its programming streams in the ATSC 1.0 format to ensure that nearly all of KJZZ-TV's current viewers can continue to receive the programming currently available to them. It will also make clear that Licensee is an authorized user of a portion of the multicast hosts' channels and is the party responsible for ensuring compliance with the Communications Act and the Commission's rules and regulations.