

Acknowledgement and Waiver of Mutually Exclusive Interference
WKOB-LD (Facility ID 51441) AND W28ES-D (Facility ID 130477)

HC2 Station Group, Inc. ("Applicant") respectfully submits this acknowledgement of mutually exclusive interference between its owned station W28ES-D and WKOB-LD, owned by Applicant's affiliated company HC2 LPTV Holdings, Inc. To the extent necessary, Applicant seeks a waiver of the Commission's rules related to interference thresholds for LPTV and TV translator station protection of broadcast stations.¹

Applicant has used *TVStudy* to verify the W28ES-D channel 2 application as viable for the station's proposed facility. Applicant acknowledges that W28ES-D on channel 2 at the proposed location will result in interference from WKOB-LD on channel 2 in excess of the amounts LPTV and translator stations are allowed to create under the Commission's rules.² Even though W28ES-D creates no new interference to WKOB-LD, this results in mutual exclusivity between the two facilities as referenced in paragraph one above.

The Commission may waive its rules on its own motion or upon a showing of good cause for a waiver.³ The FCC has recognized that LPTV and TV translator stations may choose to accept interference from other stations.⁴ Applicant has agreed to accept the interference that WKOB-LD may create. Applicant therefore asks the Commission to grant the application notwithstanding this interference and, to the extent necessary, waive section 74.793(e)-(h) of the rules governing interference thresholds for LPTV and TV translator stations to promote the public interest in timely broadcast relocation and in the continued provision of over-the-air television service to the public.

¹See 47 C.F.R. § 74.793(e)-(h).

²*Id.*

³47 C.F.R. § 1.3.

⁴See *Incentive Auction Task Force and Media Bureau Announce Procedures for Low Power Television, Television Translator and Replacement Translator Stations During the Post-Incentive Auction Transition*, Public Notice, 32 FCC Rcd 3860 ¶ 7, n.30 (IATF & MB May 12, 2017).