

Acknowledgement and Waiver of Mutually Exclusive Interference
Call Signs: W36DO-D Facility ID 72535 & WQAV-CD Facility ID 191822

Applicant respectfully submits this acknowledgement of mutually exclusive interference between its owned station W36DO-D and WMT, LLC owned station WQAV-CD and, to the extent necessary, 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 W36DO-D Channel 25 Modification as viable for the station's proposed facility. Applicant acknowledges that W36DO-D Channel 25 at the proposed location on ATC tower ASRN 1231524 will result in interference from WQAV-CD Channel 26 greater than the amounts LPTV and translator stations are allowed to create under the Commission's rules.² Even though W36DO-D creates no new interference to WQAV-CD, this results in a Mutually Exclusive situation between the two facilities as referenced in paragraph one above.

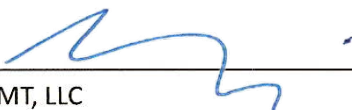
The Commission may waive its rules on its own motion or upon a showing of good cause for a waiver.³ The FCC has recognized that LPTV and TV translator stations may choose to accept interference from other stations.⁴ The applicant of W36DO-D and WMT, LLC have entered into an Interference Agreement under which W36DO-D has agreed to accept the interference that WQAV-CD may create up to 3.64%. Applicant therefore asks the Commission to grant the Modification 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.



HC2 LPTV HOLDINGS, INC.

7/2/2020

Date



WMT, LLC

7/10/2020

Date

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).