



Federal Communications Commission
Washington, D.C. 20554

June 22, 2021

Baltimore (WNUV-TV) Licensee, Inc.
c/o Scott R. Flick, Esq.
1200 Seventeenth St, NW
Washington, DC 20036
(via electronic mail)

WNUV, Baltimore, MD
Facility ID No. 7933
LMS File Nos. 0000136472 &
0000136473

Dear Licensee:

This letter is in reference to the above captioned applications for license modification (License Modification) and legal special temporary authority (Legal STA) (collectively Requests) filed by Baltimore (WNUV-TV) Licensee, Inc., a subsidiary of Cunningham Broadcasting (Cunningham or Licensee), licensee of digital full power television station WNUV-TV, Baltimore, Maryland, (WNUV or Station).¹ In its License Modification, the Licensee requests authorization to convert its facilities to operate using the ATSC 3.0 broadcast standard under the process established for “non-expedited” applications.² In its Legal STA, the Licensee requests authorization for two things. First, in order to mitigate service loss, the Licensee requests authorization to air two ATSC 1.0 simulcast primary streams, one over non-commercial educational (NCE) station WMPT(TV), Annapolis, Maryland (WMPT or primary simulcast host) and the second over NCE station WMPB(TV), Baltimore, Maryland (WMPB or supplemental primary host), both licensed to Maryland Public Broadcasting Commission (collectively, simulcast hosts).³ Second, the Licensee requests authorization to air its non-primary programming streams (multicast streams) in an ATSC 1.0 format, with no ATSC 3.0 simulcast, on the facilities of WMAR-TV, Baltimore, Maryland (WMAR), licensed to Scripps Broadcasting Holdings LLC (Scripps), and WBAL-TV, Baltimore, Maryland (WBAL), licensed to WBAL Hearst Television Inc. (Hearst)

¹ Application of Baltimore (WNUV-TV) Licensee, Inc. for Modification of License as amended, LMS File No. 0000136472 (filed March 17, 2021) (WNUV License Modification); Application of Baltimore (WNUV-TV) Licensee, Inc., for Legal Special Temporary Authority as amended, LMS File No. 0000136473, as amended (filed Feb. 18, 2021) (Cunningham Legal STA).

² Because the license modification application proposes a 1.0 service loss of more than 5% of the predicted population within the Station’s original noise limited service contour (NLSC) based on a single primary stream, it does not qualify for “expedited” processing and is treated as a “non-expedited application under our rules. See 47 CFR §§ 73.3801(f)(5)-(6).

³ WMPT is licensed to operate on RF channel 21; WMPB is licensed to operate on RF channel 22. Licensee specifically notes that it is not seeking a separate license for its operation on WMPB. Cunningham Legal STA at 1. Under the Commission’s rules “[n]oncommercial educational television stations may participate in simulcasting arrangements with commercial stations.” 47 CFR § 73.801(a). We find that the proposed arrangement with WMPB acting as a “supplemental” primary simulcast host is in keeping with rationale underlying the Commission’s decision to permit NCEs to participate in simulcast arrangements with commercial stations. See *Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard*, GN Docket No. 16-142, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 9930, 9941 and 9954, paras.14 and 50 (2017) (*Next Gen TV Report and Order*).

(collectively, multicast hosts).⁴ This arrangement among the Licensee and the simulcast hosts and multicast hosts has been entered into in connection with the Station's transition of its facilities to the ATSC 3.0 transmission standard. Although the Licensee has agreed to indemnify the simulcast hosts and multicast hosts from all liabilities or claims resulting from the airing of its multicast streams over the Stations' facilities,⁵ it has requested the Legal STA to make clear the Station will be treated as if it is still originating its primary and multicast streams and will be considered the responsible party for compliance with any obligations under the Communications Act of 1934, as amended (Act), and the Commission's rules (Rules).⁶ For the reasons below, we grant the Licensee's License Modification and Legal STA.

Background. Under the Commission's rules, a Next Gen TV broadcaster⁷ must, with limited exception, continue to deliver ATSC 1.0 service to its existing viewers by simulcasting its primary programming stream in an ATSC 1.0 format over the channel of another station in its local market (simulcast host station).⁸ The Commission required that ATSC 1.0 simulcast signals be licensed as temporary second channels of the originating broadcaster (i.e., the station whose programming is being transmitted on a simulcast host station). Next Gen TV broadcasters are encouraged, but not required, to simulcast their existing non-primary multicast streams in an ATSC 1.0 format (multicast streams).

The Commission also established coverage requirements for a Next Gen TV broadcaster's ATSC 1.0 simulcast signal.⁹ In order to minimize disruption to viewers,¹⁰ the Commission required Next Gen TV broadcasters to select an ATSC 1.0 simulcast host station that is assigned to its same designated market area (DMA) and that continues to provide ATSC 1.0 simulcast service to the Next Gen TV station's entire community of license.¹¹ In addition, the Commission stated that it would consider any loss of ATSC 1.0 simulcast service resulting from the simulcast arrangement in determining whether to grant the application to deploy ATSC 3.0 service.¹² The Commission determined that it would favor grant of any application demonstrating that the ATSC 1.0 simulcast host station would provide service to

⁴ WMAR is licensed to operate on RF channel 27; WBAL is licensed to operate on RF channel 12.

⁵ *Id.*

⁶ See *Next Gen TV Report and Order*, 32 FCC Rcd at 9970-73, paras. 79-82 (requiring Next Gen TV broadcasters to comply with all Commission broadcast rules, including, but not limited to, the Rules regarding foreign ownership, political broadcasting, children's programming, equal employment opportunities, public inspection files, indecency, sponsorship identification, etc.).

⁷ By Next Gen TV broadcaster, we mean a broadcaster or station that has deployed ATSC 3.0 service, whether by converting its own facility to ATSC 3.0 or through the use (as a "guest") of an ATSC 3.0 host station.

⁸ A Next Gen TV station's ATSC 1.0 simulcast channel must be "substantially similar" to that of the primary video programming stream on the ATSC 3.0 channel. See e.g., 47 CFR § 73.3801(b)(1).

⁹ *Next Gen TV Report and Order*, 32 FCC Rcd at 9945-46, paras. 29-31. A Next Gen TV broadcaster must file an application and obtain Commission approval before a 1.0 simulcast channel or a 3.0 channel aired on a partner host station can go on the air, or before an existing 1.0 station can convert to 3.0 operation or back to 1.0 operation. *Id.* at 9939, para. 48.

¹⁰ *Id.* at 9946, para. 30 ("By requiring stations to continue to provide an ATSC 1.0 signal that covers their current community of license and encouraging them to keep coverage loss to 5% or less of the population currently receiving a 1.0 signal over the air, we will limit the number of current viewers and MVPD headends that will lose access to the over the air 1.0 signal as a result of local simulcasting.").

¹¹ *Id.* at 9945-46, paras. 29-31. See 47 CFR § 73.3801(c).

¹² *Next Gen TV Report and Order*, 32 FCC Rcd at 9946, para. 29.

at least 95 percent of the predicted population within the Next Gen TV station's original noise limited service contour (NLSC). The Commission committed to consider such applications on an "expedited" basis.¹³ In contrast, where an ATSC 1.0 simulcast host station would not satisfy this 95 percent threshold, the applicant must provide a more robust public interest showing with its application that will be considered on a case-by-case basis.¹⁴ The Commission considers such applications on a non-expedited basis (non-expedited applications). Specifically, a non-expedited application must provide the following information in order for the Commission to determine if grant is in the public interest: (1) whether there is another possible simulcast partner(s) in the market that would result in less 1.0 service loss to existing viewers and, if so, why the Next Gen TV broadcaster chose to partner with a station creating a larger service loss; (2) what steps, if any, the station plans to take to minimize the impact of the 1.0 service loss (e.g., providing ATSC 3.0 dongles, set-top boxes, or gateway devices to viewers in the loss area); and (3) the public interest benefits of the simulcast arrangement and a showing of why the station believes the benefit(s) of granting the application outweighs the harm(s).¹⁵

WNUV Requests. On February 18, 2021, the Licensee submitted its proposed License Modification to convert its existing broadcast facilities to ATSC 3.0.¹⁶ As required by section 73.3801 of the Rules,¹⁷ the Station's primary stream will be simulcast in an ATSC 1.0 format, in this case over the facility of WMPT.¹⁸ The Licensee states that WMPT was chosen as the primary simulcast host after extensive negotiations among market stakeholders to maximize use of the limited resources available in the market.¹⁹ WMPT alone, however, would cover only over 90% of WNUV's existing viewers, causing nearly 10 percent of the Station's current viewers to lose access to its ATSC 1.0 primary stream.²⁰ To mitigate the ATSC 1.0 service loss, the Licensee proposes to air a supplemental primary simulcast utilizing the facilities of WMPB.

On February 25, 2021, the Licensee filed its Legal STA seeking an authorization to air a supplemental primary simulcast stream. Pursuant to an engineering study conducted by the Licensee, WMPT and WMPB combined cover 97.7% of the Station's current over-the-air ATSC 1.0 viewers.²¹ Licensee states that this arrangement serves the public interest both by enabling WNUV to deploy ATSC 3.0 service while continuing to provide ATSC 1.0 service to 97.7% of its predicted service population (over the 95% threshold that is otherwise required to be met by a single primary simulcast host for expedited processing), and by enabling the market's stations, including public television stations, to participate in the ATSC 3.0 market transition.²²

¹³ *Id.* See also 47 CFR § 73.3801(f)(5)-(6).

¹⁴ 47 CFR § 73.3801(f)(6)(iii)

¹⁵ *Id.*

¹⁶ Application of Baltimore (WNUV-TV) Licensee, Inc. for Modification of License as amended, LMS File No. 0000136472 (filed March 17, 2021) (WNUV License Modification).

¹⁷ 47 CFR § 73.3801(b).

¹⁸ See WNUV License Modification.

¹⁹ WNUV License Modification, Coverage Exhibit at 1 (Coverage Exhibit).

²⁰ Coverage Exhibit 1; Cunningham Legal STA at 2.

²¹ Cunningham Legal STA, WNUV-WMPT-WMPB Engineering Exhibit at 2, 5.

²² Coverage Exhibit at 1 (noting that the current arrangement was subject to complex business negotiations to ensure

In addition to seeking authority to air a supplemental primary simulcast stream, the Licensee also requested in its Legal STA an authorization to air its multicast streams in an ATSC 1.0 format, with no ATSC 3.0 simulcast.²³ The Station currently broadcasts three non-primary multicast streams: *Antenna TV*, *Comet TV*, and *Charge!*.²⁴ In order to avoid the loss of the Station's over-the-air programming to its current ATSC 1.0 viewers, the Licensee has entered into a written agreement with the multicast hosts to broadcast *Antenna TV* over WMAR, and *Comet TV* and *Charge!* over WBAL.²⁵ Because of ATSC 1.0 capacity constraints, the Station is not able to air all of its multicast streams on the same channel as its primary ATSC 1.0 simulcast signal.²⁶ Furthermore, due to capacity and other constraints the Station is not able to simulcast an ATSC 3.0 version of its multicast streams.²⁷ The Licensee's engineering study demonstrates that under its arrangements over 96% of the Station's current over-the-air ATSC 1.0 viewers will retain access to *Antenna TV* on WMAR, and over 99% will retain access to *Comet TV* and *Charge!* over WBAL.²⁸ The Licensee's engineering study also shows that its non-primary multicast streams will continue to serve the Station's designated market area and community of license.²⁹ Absent the proposed arrangements and grant of the Legal STA, the Licensee states that "all over-the-air viewers would lose access to WNUV(TV)'s multicasts streams."³⁰

The Licensee goes on to state that it has provided the requisite notice to MVPDs regarding relocation of the Station's primary ATSC 1.0 stream and its non-primary multicast streams.³¹ The Station states it will air the requisite over-the-air announcements regarding its transition to the ATSC 3.0 standard and the need for over-the-air viewers to rescan their television sets in order to continue to receive WNUV's ATSC 1.0 programming streams.³² In order to alleviate any viewer confusion, the PSIP (virtual) channel for each of WNUV's programming streams will remain unchanged except that the PSIP

sufficient capacity for all participating stations).

²³ See Cunningham Legal STA *supra* note 1. Licensee has requested the Legal STA to make clear the Station will be treated as if it is still originating its primary and multicast streams and will be considered the responsible party for compliance with any obligations under Act and Rules.

²⁴ Cunningham Legal STA at 1.

²⁵ *Id.*

²⁶ *Id.*

²⁷ Specifically, Licensee states that in order to air an ATSC 3.0 simulcast of the Station's non-primary multicast streams, the Station would not be able to accommodate current ATSC 3.0 guests as arranged. According to the Licensee, doing so would impact the Station's ability to offer enhanced ATSC 3.0 offerings, such as High Dynamic Range, Wide Color Gamut and High Frame Rate, immersive and multiple audio channels, and non-real time interactive data delivery. Furthermore, the Licensee notes that additional engineering work and equipment would be required to accommodate simulcasting the Station's non-primary multicast streams in both ATSC 1.0 and ATSC 3.0 formats and thereby delay rollout of ATSC 3.0 in the Baltimore, Maryland, Designated Market Area. *Id.* at 1-2.

²⁸ See Cunningham Legal STA at 2; Cunningham Legal STA, WNUV-WBAL-WMAR Engineering Technical Statement at 3-6.

²⁹ Cunningham Legal STA, WNUV-WMPT-WMPB Engineering Exhibit at 2-4; Cunningham Legal STA, WNUV-WBAL-WMAR Engineering Technical Statement at 1-3, 5.

³⁰ Cunningham Legal STA at 2.

³¹ *Id.* at 2. See 47 CFR § 73.3801(g) (Notice to MVPDs).

³² Cunningham Legal STA at 3. See 47 CFR § 73.3801(f) (Consumer Education for Next Gen TV stations).

number for WNUV's primary stream being aired over WMPB will utilize PSIP 54.11.³³ All streams will be identified to viewers as associated with WNUV.³⁴ The Licensee commits to inform viewers in its announcements regarding the channels on which they will find WNUV's programming. The Licensee plans to convert the Station's facilities to ATSC 3.0 and commence its ATSC 1.0 operations over the facilities of WMPT and WMPB (primary streams), as well as WBAL and WMAR (non-primary streams), on June 24, 2021.³⁵ As part of these arrangements, WMPT, WBAL, and WMAR have been provided capacity as ATSC 3.0 guest stations on WNUV's facilities.³⁶

Discussion. We conclude, based on the particular facts and circumstances presented, that the grant of the Licensee's License Modification and Legal STA will serve the public interest as the benefits outweigh any potential harms.

First, we find that the Station's License Modification, pursuant to which the Licensee proposes to use two hosts for its primary streams in order to minimize the ATSC 1.0 simulcast primary service loss to less than 5% of the current population served, is an acceptable method for mitigating ATSC 1.0 service loss under the non-expedited processing standard. The Commission in the *Next Gen TV Report and Order* required non-expedited applicants to minimize the impact of the service loss but did not require a specific method for doing so.³⁷ WNUV elected to host its primary simulcast on WMPT and WMPB after conducting negotiations among multiple stakeholders seeking to maximize the use of limited market resources.³⁸ The Licensee explains that, although there were other possible ATSC 1.0 simulcast primary hosts in the market, there was not another single ATSC 1.0 simulcast primary host station in the market that would have had the capacity to meet the 95% service threshold and allow WNUV to continue to provide the same HD programming quality.³⁹ Thus, to maximize viewer coverage, the Licensee seeks to air its primary stream on WMPB also. The Licensee further explains that using a supplemental primary stream will minimize the loss of primary ATSC 1.0 service within the station's entire coverage area to only 2.3%.⁴⁰ In addition, by utilizing a supplemental primary host, only 0.1% of viewers within the Baltimore DMA (the DMA to which the Station is assigned) will lose access to WNUV's primary signal.⁴¹ Significantly, these two hosts for WNUV's primary signal are NCE stations, and we agree with

³³ Cunningham Legal STA at 3. Utilization of the 54.11 PSIP for the primary stream aired over WMPB will prevent receiver issues that could arise in the overlap area between WMPT and WMPB. The Station's primary stream being aired over WMPT will continue to utilize the 54.1 PSIP. *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ See Application of Maryland Public Broadcasting Commission for Modification of License, LMS File No. 0000136496 (granted June XX, 2021), Application of Scripps Broadcasting Holdings LLC for Modification of License, LMS File No. 0000136334 (granted June XX, 2021), Application of WBAL Hearst Television Inc. for Modification of License, LMS File No. 0000136441 (granted June XX, 2021).

³⁷ *Next Gen TV Report and Order*, 32 FCC Rcd at 9947-48, para. 34. The Commission observed only that one means of doing so could be to provide ATSC 3.0 dongles, set-top boxes, or gateway devices to viewers in the loss area. This was not intended to be an exclusive list. *Id.*

³⁸ Coverage Exhibit at 1.

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ WNUV License Modification, Supplemental Engineering Exhibit at 2, 7. The Licensee points out that most of the viewers losing access to WNUV, both within the Baltimore DMA and outside of it, are still able to obtain CW

the Licensee that permitting NCE stations to participate in the ATSC 3.0 rollout arrangements in this manner is critical to the success of the transition. That is, we find this arrangement has the benefit of minimizing service loss to existing viewers, while ensuring participation from the market's public television stations.⁴² Accordingly, we grant the Licensee Modification given that it will allow WNUV to serve over 95% of its predicted service area with an ATSC 1.0 primary simulcast, and, importantly, provides an opportunity for the DMA's public television stations to participate in the ATSC 3.0 market conversion in the Baltimore DMA.

Second, we find that it is appropriate to grant the Station's Legal STA by authorizing its supplemental primary ATSC 1.0 simulcast and multicast streams. Grant of the Legal STA will promote continued transmission of the Station's ATSC 1.0 streams to viewers and make clear that the Station is responsible for the content of those signals from a regulatory compliance and enforcement perspective. Therefore, we will treat the Station's supplemental primary stream and its non-primary multicast streams as being originated by the Station even though they are being transmitted over the channels and facilities of other stations (i.e., host stations). The Station is the sole party responsible for ensuring compliance with all statutory and regulatory requirements with regard to all three of its original non-primary multicast streams. This includes, but is not limited to, compliance with our rules regarding political broadcasting, children's programming,⁴³ equal employment opportunities, public inspection files, indecency, sponsorship identification, station identification, contests, the CALM Act, and the Emergency Alert System.

Given that the current arrangements are temporary and in furtherance of an ATSC 3.0 simulcasting arrangement, we will not apply the broadcast ownership rules to the extent that the arrangements would result in a potential violation of those rules so long as the Station's supplemental primary simulcast stream and multicast streams are being aired on the facilities of the hosts designated in this letter and pursuant to an active and Commission authorized ATSC 3.0 simulcasting arrangement (i.e., the Station is operating an authorized ATSC 3.0 facility and its primary stream is being simulcasted over the facility of its licensed ATSC 1.0 simulcast host). We find this approach is consistent with the Commission's decision and underlying basis to "not apply the broadcast ownership rules in any situation where airing an ATSC 3.0 signal or an ATSC 1.0 simulcast on a temporary host station's facility would result in a potential violation of those rules."⁴⁴

To the extent the Station's primary stream qualified for mandatory carriage rights, the Station must continue to qualify for such rights at the primary simulcast host's location, but the Station may not claim any "new or expanded carriage rights not previously held and exercised" by the Station.⁴⁵ And while we are allowing the Station to air a supplemental primary simulcast stream for purposes of

programming from other stations: WHP-TV, Harrisburg, Pennsylvania; WPSG(TV), Philadelphia, Pennsylvania; WDCW(TV), Washington, District of Columbia. *Id.*

⁴² Coverage Exhibit at 1.

⁴³ Licensee notes in its Legal STA that it does not currently, nor does it intend to, rely on its multicast streams for compliance with the Commission's children's programming requirements. Cunningham Legal STA at 3.

⁴⁴ *Next Gen TV Report and Order*, 32 FCC Rcd at 9972, para. 80, n.237. See also *Promoting Broadcast Internet Innovation through ATSC 3.0*, MB Docket No. 20-145, Declaratory Ruling and Notice of Proposed Rulemaking, 35 FCC Rcd 5916, 5924, para. 15 (2020).

⁴⁵ *Next Gen TV Report and Order*, 32 FCC Rcd at 9964, para. 70.

minimizing any loss of ATSC 1.0 viewers,⁴⁶ we emphasize that the supplemental primary stream has no carriage rights.⁴⁷ In addition, we note that multicast signals have no carriage rights.⁴⁸ In sum, this authorization does not modify or alter the Station's mandatory carriage rights (or lack thereof). Any impact on an MVPD's ability to carry WNUV's non-primary multicast streams pursuant to a retransmission consent agreement is subject to the terms of the private contractual relationships between WNUV and the affected MVPDs. According to the Licensee, it has provided written notice to all impacted MVPDs, is coordinating with all impacted MVPDs, and will continue to coordinate as needed with potentially affected MVPDs to ensure they continue to receive a good quality signal of its primary simulcast stream and non-primary multicast streams over-the-air or via alternative delivery methods, such as direct fiber feed.⁴⁹ As a result, we do not expect there to be any adverse impact on MVPD viewers, nor should there be any increased burdens on MVPDs. Our action is conditioned on Licensee's commitments related to MVPDs.

Accordingly, the license modification application of Baltimore (WNUV-TV) Licensee, Inc., licensee of WNUV(TV), Baltimore, Maryland, **IS GRANTED**. Furthermore, the Legal STA filed by Baltimore (WNUV-TV) Licensee, Inc., licensee of WNUV(TV), Baltimore, Maryland, **IS GRANTED** for a period of six months from date of this letter – hereby expiring on December 22, 2021. For purposes of the Act and the Rules, we will consider the supplemental primary simulcast stream of *CW* and multicast program streams of *Antenna TV*, *Comet TV*, and *Charge!* to be originated by the Station. Any change in the streams being aired over the supplemental primary simulcast host or multicast hosts by the Station or relocating of any of the streams to a new host, will require the filing of a new request. By this grant, the Licensee agrees to coordinate with MVPDs as necessary. Whether renewal is granted will be subject to any additional Commission or Bureau decisions on the treatment of supplemental primary simulcast streams and multicast non-primary streams pursuant to an ATSC 3.0 simulcasting arrangement.⁵⁰

⁴⁶ See 47 CFR § 73.3801(c), (f)(6)(iii).

⁴⁷ This is consistent with the 2017 Next Gen TV Order's decision to "interpret[] the must-carry statute to minimize the burdens on MVPDs to only those necessary to advance the interests of the must-carry regime." *Next Gen TV Report and Order*, 32 FCC Rcd at 9964, para. 70 ("Allowing expansion of 1.0 mandatory carriage rights through local simulcasting also would be inconsistent with the purpose of our local simulcasting requirement, which is to maintain 1.0 service to existing viewers."). We also note that only one ATSC 1.0 simulcast primary stream is entitled to mandatory carriage rights, although the Station may, at its own expense, use the supplemental primary stream as an alternate means of delivering a good quality signal to an MVPD. See 47 CFR §§ 76.56(h), 76.66(o).

⁴⁸ See *Carriage of Digital Television Broadcast Signals: Amendment to Part 76 of the Commission's Rules*, CS Docket Nos. 98-120, 00-96 and 00-2, First Report and Order and FNPRM, 16 FCC Rcd 2598, 2621-22, para. 54 (2001); affirmed by *Carriage of Digital Television Broadcast Signals: Amendment to Part 76 of the Commission's Rules*, Second Report and Order and First Order on Reconsideration, CS Docket No. 98-120, 20 FCC Rcd 4516, 4518, para. 3 (2005) (*DTV Must-Carry Second R&O*) (declining to require cable systems to carry a licensee's multicast streams). In the *DTV Must-Carry Second R&O*, the Commission affirmed its decision in the First Report and Order to interpret the statutory term "primary video" to mean only a single programming stream. If a digital broadcaster elects to divide its digital spectrum into several separate programming streams, only one of these streams is entitled to mandatory carriage. *Id.* at 4530-37, paras. 28-44.

⁴⁹ Cunningham Legal STA at 2.

⁵⁰ We note that the Commission has before it a Petition for Declaratory Ruling and Rulemaking requesting that the Commission "(1) clarify that its existing rules permit a station transmitting in ATSC 3.0 to partner with one or more other stations that would host the first station's simulcasted ATSC 1.0 multicast streams to preserve existing service

Sincerely,

/s/

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in the market; and (2) establish rules permitting a station transmitting in ATSC 3.0 to partner with one or more other stations that would host the first station's ATSC 1.0 multicast streams, regardless of whether those ATSC 1.0 multicast streams are simulcast in ATSC 3.0, and also permit a station transmitting in ATSC 1.0 to partner with one or more other stations to host content transmitted in ATSC 3.0." *See* Petition for Declaratory Ruling and Rulemaking of the National Association of Broadcasters, GN Docket No. 16-142 (filed Nov. 9, 2020) (Petition); *Media Bureau Seeks Comment on Petition for Declaratory Ruling and Petition for Rulemaking of the National Association of Broadcasters Seeking to Clarify Treatment of Multicast Streams Under the Next Gen TV Local Simulcasting Rules*, GN Docket No. 16-142, Public Notice, 35 FCC Rcd 13130 (MB 2020). Our action herein is not intended to prejudge the outcome of any potential proceeding undertaken as a result of the Petition.