Request for Special Temporary Authority

HC2 LPTV Holdings, Inc. ("Licensee") respectfully requests Special Temporary Authority ("STA") for WDUM-LD, Philadelphia, PA ("WDUM") to remain silent.

Unique circumstances support this request. Licensee has been operating pursuant to its licensed operations since 13 October 2020 (File No. 0000124581). On 2 July 2021, Licensee's Legal Representative, David O'Connor, received a call from the FCC's New York Field Office reporting that the New York Police Department (NYPD) was experiencing significant interference to its mobile operations, which are on adjacent frequencies to WDUM's Channel 16 operations. The FCC Field Office asked if the Licensee would work with the NYPD to determine whether WDUM was contributing to ducting interference. Licensee's Chief Engineer for the East Region, Frank Mestre ("Mestre"), contacted the FCC Field Agent, Palash Barua ("Barua"), and was put in touch with Scott Semone ("Semone") from the NYPD's Life Safety Systems Division. Contact information for the representatives are below:

Scott Semone
NYPD Life-Safety Systems Division & Electronics Section
One Police Plaza - Room 708 | New York, NY 10038 | scott.semone@nypd.org |
Tel. 646-498-6006

Palash Barua, Senior Agent
FCC – Enforcement Bureau
NY Field Office
215-932-0855

Because the interference was intermittent, Mestre and Semone agreed to wait until the interference occurred again, at which time Mestre would turn the transmitter's power down to see if it eliminated the problem. The NYPD called Mestre on 4 July 2021 and indicated the interference was occurring again. Mestre remotely turned off the transmitter and the interference stopped. At this point, Licensee left WDUM off the air for the holiday weekend.

On 7 July 2021, Mestre and HC2's Chief Operating Officer, Patrick Doyle, had a videoconference with Semone and Barua (collectively "the team"), and discussed plans to resolve the interference. Procedures were put in place to first ensure there were no physical or technical problems occurring at the WDUM site before turning the transmitter back on. The team also agreed to a protocol for NYPD to reach out to Licensee if/when interference occurs, and Licensee would coordinate by lowering power or turning the transmitter off as needed to remove the interference.

In coordination with the NYPD, Licensee made minor adjustments to WDUM's antenna on 12 July 2021. After making the adjustments, Licensee went back on the air at full power, with a total off-air outage of 8 days from 4 July 2021 – 12 July 2021). The transmitter was powered on for approximately 8 hours, (1:30PM EST to 9:30 PM EST). At 9:30 PM EST, the transmitter was turned off again late on 12 July 2021 due to a call from NYPD indicating the interference had, in fact, returned.

Licensee plans to continue to investigate the current configuration to correct the problem, and if possible to request a new channel to avoid the issue entirely in the form of a displacement application. Alternatively, if Licensee determines that an appropriate power level will avoid interference to the NYPD, Licensee will file a modification application to adjust WDUM's Effective Radiated Power (ERP). In the interim, Licensee has engaged RKF Consulting in researching available frequencies.

The FCC has a history of granting such requests, particularly where, as here, the request is supported by good cause and granting it would further the public interest. Licensee is working in good faith with the NYPD to avoid interference to public safety operations, which furthers the public interest. Moreover, granting this request would not implicate Section 312(g) of the Act, which generally limits silent station authorizations to 12 months.[2] In contrast, the STA requested here would be for a period of up to six months.

For these reasons, Licensee respectfully requests that the Media Bureau grant Licensee's request for an STA to remain silent while it continues to coordinate with the NYPD for a long-term solution to these interference issues.

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[2] *See* 47 U.S.C. § 312(g).