

Request for Special Temporary Authority

WCWF Licensee, LLC (“Licensee”), licensee of WCWF(TV), Suring, WI (Facility ID 73042), hereby requests Special Temporary Authority in connection with WCWF(TV)’s transition to the ATSC 3.0 broadcast transmission standard and related proposal to broadcast WCWF(TV)’s non-primary programming streams (“multicast streams”) in ATSC 1.0 format on WFRV-TV, Green Bay, WI (Facility ID 9635), WBAY-TV, Green Bay, WI (Facility ID 74417), and WACY-TV, Appleton, WI (Facility ID 361) (together, the “multicast hosts”). Licensee requests that for purposes of enforcement and application of the Commission’s rules, WCWF(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 WCWF(TV)’s Form 2100 application (*see* File No. 0000162833), Licensee proposes to (1) commence ATSC 3.0 operations from WCWF(TV)’s current facility and (2) simulcast its primary stream in ATSC 1.0 format on commonly owned WLUK-TV, Green Bay (Facility ID 4150). To minimize the loss of over-the-air programming to its current ATSC 1.0 viewers that might otherwise result from the station’s transition to ATSC 3.0, Licensee proposes to use the facilities of WFRV-TV to broadcast WCWF(TV)’s *Comet TV* multicast stream in ATSC 1.0, pursuant to a written hosting agreement with Nexstar Media Inc. (“Nexstar”), the facilities of WBAY-TV to air its *Charge!* multicast stream in ATSC 1.0, pursuant to a written hosting agreement with Gray Media Group, Inc. (“Gray”), and the facilities of WACY-TV to air its *Stadium* and *DABL* multicast streams in ATSC 1.0, pursuant to a written hosting agreement with Scripps Broadcasting Holdings LLC (“Scripps”).

Because of ATSC 1.0 capacity constraints, WCWF(TV) is not able to air its multicast streams on WLUK-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 WCWF(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 host for stations in the Green Bay-Appleton market. Even setting aside these impediments, significant additional engineering work and more equipment would be required to simulcast WCWF(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 Green Bay-Appleton market.

The hosting arrangements with the multicast hosts will serve the public interest by

enabling nearly all current over-the-air viewers to continue to have access to WCWF(TV)'s multicast streams. The service contours of WFRV-TV, WBAY-TV, and WACY-TV cover a majority (99.4%, 100%, and 92.4%, respectively) of WCWF(TV)'s current service area population. *See* attached engineering exhibit. Absent the arrangement with the multicast hosts, all over-the-air viewers would lose access to WCWF(TV)'s multicast streams. Additionally, the arrangement will preserve access to those WCWF(TV) multicast streams currently received for viewers who are receiving them via MVPDs. Licensee has coordinated with or will coordinate with MVPDs that carry WCWF(TV)'s multicast streams to confirm that they will continue to receive a good quality signal of such streams from the multicast hosts' facilities over-the-air or via alternative delivery methods, such as direct fiber feed.

Although Licensee has agreed to indemnify Nexstar, Gray, and Scripps from and against all liabilities or claims resulting from or arising out of the programming and advertising broadcast on Licensee's program streams using the facilities of WFRV-TV, WBAY-TV, and WACY-TV, respectively, Licensee is requesting the instant authorization out of an abundance of caution to make clear that Licensee will remain responsible for the *Comet TV*, *Charge!*, *Stadium* and *DABL* 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 WCWF(TV)'s program streams will remain unchanged and be identified as being associated with WCWF(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 WCWF(TV) averages at least three hours per week of core programming on its primary stream. As such, neither WCWF(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 the relocation of WCWF(TV)'s multicast signals to the multicast hosts' facilities. Licensee provided notice to the relevant MVPDs of its proposed multicast ATSC 1.0 signal relocations when it provided the requisite notice regarding relocation of WCWF(TV)'s primary stream ATSC 1.0 signal. Licensee will also air on WCWF(TV) the requisite consumer notices and post to its website information regarding the station's transition to the ATSC 3.0 standard and the need for over-the-air viewers to rescan on January 25, 2022.

Grant of this STA request will serve the public interest, as it will advance the Commission's ATSC 3.0 policy goals while preserving WCWF(TV)'s ability to air each of its programming streams in the ATSC 1.0 format to ensure that most of WCWF(TV)'s 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 WFRV-TV's, WBAY-TV's, and WACY-TV's channels and is the party responsible for ensuring compliance with the Communications Act and the Commission's rules and regulations.