

Renewal of License Amendment – Adherence to Minimum Operating Schedule Narrative

HC2 Broadcasting License Inc. (“HC2”) acquired the license for KPDS-LD, Facility ID: 184103, Wolcott, IN pursuant to an assignment application granted as part of the Consent Decree, 32 FCC Rcd 9129 (MB 2017). The acquisition was consummated on 11/9/2017.

The Assignor was: King Forward, Inc. The Lead File Number was: BALDTT-20170713AAG and the Member File Number was: BALDTL-20170713AAP.

Prior to acquisition, the station went silent on 9/10/2017 and filed a Silent Special Temporary Authority (STA) request, FCC File Number: 0000030025, on 9/19/2017. The reason for the period of silence was outlined in the Media Bureau’s *DTV America Corporation et al.*, Consent Decree, 32 FCC Rcd 9129 (MB rel. Oct. 31, 2017) (“Consent Decree”).

The station extended the Silent STA on 3/9/2018, FCC File Number: 0000048464. The specific reason for the period of silence was due to the assignment of authorization to HC2 and the subsequent complications of transitioning to new leadership. HC2 was in the process of surveying its resources and developing construction and operational plans. Additionally, HC2 was operating in a resource-constrained environment due to the 600 MHz Incentive Auction repacking process. Station owners, particularly LPTV station owners which were deemed lower priority, that were seeking to build new broadcast facilities had access to far fewer resources such as tower crews and equipment than they would have had otherwise, a factor that the Commission and the Media Bureau acknowledged.¹

The station resumed operations on 9/5/2018 and filed a Resumption of Operations, FCC File Number: 0000059492 on 9/7/2018.

The station went silent on 9/5/2018 and filed a Silent STA request, FCC File Number: 0000059498, on 9/7/2018. The specific reason for the silence was that the station was diligently building its new displacement facility as outlined in the granted Displacement Construction Permit, FCC File Number: 0000053829. The narrative stated, “Unique circumstances support this request. First, HC2 is operating in a resource-constrained environment due to the ongoing 600 MHz Incentive Auction repacking process. Station owners seeking to build new broadcast facilities currently have access to far fewer resources than they would have otherwise, a factor that the FCC and its bureaus acknowledged could become an issue when designing the repacking process to facilitate this ‘once-in-lifetime opportunity to expand the benefits of mobile wireless coverage.’”² The Silent STA request was granted on 9/7/2018.

¹ See, e.g., *Incentive Auction Closing and Channel Reassignment Public Notice et al.*, Public Notice, 32 FCC Rcd 2786 (MB 2017) (“*Channel Reassignment PN*”); *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd 6597 ¶ 3 (2014).

² See, e.g., *Incentive Auction Closing and Channel Reassignment Public Notice et al.*, Public Notice, 32 FCC Rcd 2786 (MB 2017) (“*Channel Reassignment PN*”); *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd 6597 ¶ 3 (2014).

The station extended the Silent STA on 3/4/2019, FCC File Number: 0000068259. The specific reason for the Silent STA Extension request stated, “The Licensee hereby submits that its intent is to not extend, delay, or otherwise impact the station’s planned return to air date. All efforts are underway to meet required FCC deadlines and the Station fully expects to be on the air prior to its 312(g) deadline of September 4, 2019. The Licensee has recently added several new team members to facilitate the planning, design, and construction of new facilities. The Station has thoroughly prepared site summaries and sketches and has scheduled the final site survey. Additionally, the Licensee is completing the engineering design process and is evaluating its Internet options for content delivery. Further, the Station has been in contact with transmitter and antenna manufacturers and is currently collecting quotes from vendors to complete construction.”

The station duly filed a Section 312(g) waiver request on 9/5/2019, FCC File Number: 0000068259. The Section 312(g) waiver request was granted on 3/23/2020.³

The station filed a License to Cover application, FCC File Number: 0000121899, on 9/21/2020. The License to Cover was granted on 3/31/2021. Since that date, the station has been operating pursuant to its authorized specifications.

³ See attached Discontinued Operations exhibit included in the License Renewal application.