

## **Renewal of License Amendment – Adherence to Minimum Operating Schedule Narrative**

DTV America Corporation initiated operations on WUDW-LD, Richmond, VA, Facility: 182288, when it consummated an Assignment of License application, FCC File Number: BAPDTL-20150330AAN, on 7/22/2015.

The station went silent on 8/9/2016 and filed a Silent Special Temporary Authority (“Silent STA”) request, FCC File Number: 0000013652, on 8/15/2016. 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 resumed operations pursuant to a License to Cover application filed on 9/16/2016, FCC File Number: 0000014020.

The station filed a Resumption of Operations, FCC File Number: 0000025080, on 6/19/2017.

The station went silent on 6/18/2017 and filed a Silent STA request, FCC File Number: 0000025198, on 6/26/2017. The reason for the period of silence was outlined in the Consent Decree. A resumption notice was not filed, but the station appears to have resumed operations prior to 12/5/2017.

The station went silent on 12/5/2017 and filed a Silent STA request, FCC File Number: 0000036359, on 12/14/2017. The reason for the period of silence was outlined in the Consent Decree.

The station requested an extension of the Silent STA on 6/4/2018, FCC File Number: 0000054943. The reason for the period of silence was due to the transfer of control of DTV America to HC2 Broadcasting Inc. (“HC2”), and the subsequent complications of transitioning to new leadership. The transaction was consummated on November 9, 2017 and involved more than 400 LPTV stations.<sup>1</sup> HC2 was in the process of surveying its resources and developing construction and operational plans. Additionally, HC2, as the new majority owner of DTV America, 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.<sup>2</sup>

The station resumed operations on 11/14/2018 and filed a Resumption of Operations, FCC File Number: 0000063579, on 11/14/2018.

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<sup>1</sup> The Consent Decree noted that “HC2 Broadcasting is unaffiliated with the Licensees, though HC2 Broadcasting’s parent company holds a passive, non-controlling interest in DTV America Corporation through an affiliated entity.”

<sup>2</sup> 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 went silent on 11/14/2018 and filed a Silent STA request, FCC File Number: 0000063595, on 11/14/2018. The specific reason for the silence was that the station was diligently building its authorized facility as outlined in the granted Construction Permit, FCC File Number: 0000058652, as modified by FCC File No. 0000066865.

The station requested an extension of the Silent STA on 5/13/2019, FCC File Number: 0000072651, as it worked towards continuing to build the authorized facility.

The station resumed operations when it filed a License to Cover application, FCC File Number: 0000080926, on 9/5/2019 which was granted on 9/17/2019. Since that date, the station has been operating pursuant to its authorized specifications.