

Request for Extension of Special Temporary Authority

Baltimore (WNUV-TV) Licensee, Inc. (“Licensee”), licensee of WNUV(TV), Baltimore, MD (Facility ID 7933), hereby requests an extension of the Special Temporary Authority (“STA”) that was granted on June 22, 2021 in connection with WNUV(TV)’s launch of ATSC 3.0 broadcast service. *See* File No. 0000136473. On June 24, 2021, Licensee commenced ATSC 3.0 operations from WNUV(TV)’s facility, which serves as the ATSC 3.0 host for stations in the Baltimore, MD market, and began simulcasting its primary stream (affiliated with *The CW* network) in ATSC 1.0 format on WMPT(TV), Annapolis, MD (Facility ID 65942) pursuant to its Next Generation license and hosting agreement with the Maryland Public Broadcasting Commission (“MPBC”). File No. 0000136472. Additionally, Licensee began simulcasting its *CW*-affiliated primary stream on WMPB(TV), Baltimore, MD (Facility ID 65944) and airing its multicast stream affiliated with the *Antenna* network from the facilities of WMAR-TV, Baltimore, MD (Facility ID 59442) and airing its multicast streams affiliated with the *CometTV* and *Charge!* networks from the facilities of WBAL-TV, Baltimore, MD (Facility ID 65696) pursuant to the June 22, 2021 STA and written hosting agreements with MPBC, Scripps Broadcasting Holdings Licensee LLC (“Scripps”) and WBAL Hearst Television, Inc. (“Hearst”). This request seeks an extension of STA to allow WNUV(TV) to continue the simulcasting arrangement with MPBC for the broadcast of WNUV(TV)’s primary stream in ATSC 1.0 format from WMPB(TV)’s facilities and the multicast hosting arrangements with Scripps and Hearst for the broadcast of its multicast streams in ATSC 1.0 format from the facilities of WMAR-TV and WBAL-TV, respectively.

As explained in Licensee’s original request for STA, WNUV(TV) is not able to air its multicast streams on WMPT(TV) and WMPB(TV), the ATSC 1.0 simulcast hosts for WNUV(TV)’s primary stream, due to ATSC 1.0 capacity constraints. 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 WNUV(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. Absent an extension of STA authorizing WNUV(TV) to air its multicast streams using the facilities of WMAR-TV and WBAL-TV, all over-the-air viewers would lose access to an ATSC 1.0 signal of WNUV(TV)’s multicast streams. Additionally, as explained in the original request for STA and the exhibits to WNUV(TV)’s Form 2100 application, the use of WMPB(TV) as a “supplemental” primary stream host is necessary to enable Licensee to provide WNUV(TV)’s primary stream in ATSC 1.0 format to at least 95% of WNUV(TV)’s pre-transition service population. Although Licensee has agreed to indemnify MPBC, Scripps, and Hearst 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 WMPB(TV), WMAR-TV, and WBAL-TV (as applicable), Licensee is requesting extension of the STA out of an abundance of caution to make clear that Licensee will remain responsible for the *CW*, *Antenna*, *Comet TV*, and *Charge!* streams’ compliance with the Communications Act and the Commission’s rules and regulations.

As such, Licensee respectfully requests an extension of the STA. Grant of this STA extension would serve the public interest because it would advance the Commission’s ATSC 3.0 policy goals while enabling nearly all current over-the-air viewers to continue to have access to

WNUV(TV)'s primary and multicast streams in ATSC 1.0 format. It will also continue to make clear that WNUV(TV) is an authorized user of a portion of WMPB(TV)'s, WMAR-TV's, and WBAL-TV's channels and is the party responsible for ensuring compliance with the Communications Act and the Commission's rules and regulations.