

Renewal of License Amendment – Adherence to Minimum Operating Schedule Narrative

DTV America Corporation initiated operations on W25FH-D, Fort Wayne, IN, Facility: 183652, when it filed a License to Cover application, FCC File Number: 0000008066, on 2/12/2016, which was granted on 2/17/2016.

The station went silent on 2/18/2016 and filed a Silent Special Temporary Authority (“Silent STA”) request, FCC File Number: 0000008178, on 2/24/2016. 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 Silent STA request was granted 2/24/2016.

The station resumed operations on 8/24/2016 and filed a Resumption of Operations, FCC File Number: 0000013816, on 8/24/2016.

The station went silent on 8/24/2016 and filed a Silent STA request, FCC File Number: 0000013853, on 8/25/2016. The reason for the period of silence was outlined in the Consent Decree. The Silent STA request was granted 8/25/2016.

The station resumed operations on 12/13/2016 and filed a Resumption of Operations, FCC File Number: 0000019141, on 12/13/2016.

The station went silent on 12/13/2016 and filed a Silent STA request, FCC File Number: 0000019149, on 12/13/2016. The reason for the period of silence was outlined in the Consent Decree. The Silent STA request was granted 12/13/2016.

The station filed a Silent STA extension request on 6/12/2017, FCC File Number: 0000024902, which remains pending. The reason for the Silent STA extension is outlined in the Consent Decree.

The station resumed operations on 9/4/2017 and filed a Resumption of Operations, FCC File Number: 0000029702, on 9/6/2017.

The station went silent on 9/4/2017 and filed a Silent STA request, FCC File Number: 0000029769, on 9/9/2017. The reason for the period of silence was outlined in the Consent Decree. The Silent STA request was granted 9/9/2017.

HC2 Broadcasting acquired majority control of the license for W25FH-D pursuant to a transfer of control application as part of the Media Bureau’s *DTV America Corporation et al.*, Consent Decree, 32 FCC Rcd (MB rel. Oct. 31, 2017) (“Consent Decree”). The acquisition was consummated on 11/9/2017.

The Transferor was DTV America Corporation. The Lead File Number was: BTCDTL-20170714ABI and the Member File Number was: BTCDTL-20170714AGI.

The station filed a Silent STA extension request on 3/5/2018, FCC File Number: 0000047864, which remains pending. 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.¹ 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.²

The station resumed operations on 8/31/2018 at its authorized location and filed a resumption notice, FCC File Number 0000059365.

The station filed a Displacement application on 4/16/2018, FCC File Number: 0000052700. The Displacement application was amended on 5/22/2018 and granted on 9/12/2018.

The station went silent on 8/31/2018 and filed a Silent STA request, FCC File Number: 00000598384, on 9/4/2018. 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: 0000052700. The Silent STA was granted on 9/4/2018.

The station resumed operations on 11/8/2018 and filed a resumption notice, FCC File Number: 0000063509.

The station went silent on 11/8/2018 and filed a Silent STA request, FCC File Number: 0000063541, on 11/13/2018. 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: 0000052700. The Silent STA was granted 11/13/2018.

The station filed a Silent STA request on 5/7/2019, FCC File Number: 0000072462, which remains pending. 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: 0000052700.

The station resumed operations when it filed a License to Cover application on 11/8/2019, FCC File Number: 0000088484, which was granted on 11/13/2019. Since that date, the station has been operating pursuant to its authorized specifications.

¹ 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.”

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).