

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

HC2 Broadcasting acquired majority control of the license for WUEK-LD, Facility ID: 184643, Canton, OH, pursuant to a transfer of control application as part of the Consent Decree, 32 FCC Rcd 9129 (MB 2017). 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-20170714ADF.

WUEK-LD, Facility: 184643, Canton, OH, initiated operations when it filed a License to Cover application, FCC File Number: BLDTL-20150129ADJ, on 1/29/2015. The License to Cover was granted on 2/3/2015.

The station went silent on 2/26/2016 and filed a Silent Special Temporary Authority (“Silent STA”) request, FCC File Number: 0000008229, on 3/1/2016. The Silent STA request was granted on 3/1/2016. 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 extended the Silent STA on 8/24/2016, FCC File Number: 0000013832. The reason for the extension was outlined in the Consent Decree.

The station resumed operations on 2/17/2017 and filed a Resumption of Operations, FCC File Number: 0000022117, on 2/27/2017.

The station went silent on 2/17/2017 and filed a Silent STA request, FCC File Number: 0000022118, on 2/27/2017. The reason for the period of silence was outlined in the Consent Decree.

The station extended the Silent STA on 8/17/2017, FCC File Number: 0000029335. The extension was requested while the process of constructing facilities, pursuant to Construction Permit, FCC File Number: 0000007841, which was granted on 2/5/2016.

The station resumed operations on 2/6/2018 and filed a Resumption of Operations, FCC File Number: 0000041630, on 2/8/2018.

The station went silent on 2/6/2018 and filed a Silent STA on 2/8/2018, FCC File Number: 0000041631. 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,

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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.”

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 extended the Silent STA on 7/24/2018, FCC File Number: 0000058542, as it worked towards continuing to build the previously granted Construction Permit, FCC File Number: 0000007841.

The station resumed operations on 11/8/2018 and filed a Resumption of Operations, FCC File Number: 0000063500, on 11/13/2018.

The station went silent on 11/8/2018 and filed a Silent STA request, FCC File Number: 0000063535, on 11/13/2018. The specific reason for the silence was the station was building Construction Permit, FCC File Number: 0000058622, which was granted on 11/29/2018.

The station resumed operations when it filed a License to Cover application, FCC File Number: 0000067575, on 1/31/2019. The License to Cover was granted on 2/6/2019. Since that date, the station has been operating pursuant to its authorized specifications.

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<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).