

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

DTV America Corporation initiated operations on WEKA-LD,<sup>1</sup> Canton, OH, Facility: 184644, when it consummated an assignment application, FCC File Number: BAPDTL-20150130ABH, on 7/16/2015. At the time of consummation, the station was operating pursuant to a License to Cover, FCC File Number: BLDLTL-20150129ADP, granted on 2/3/2015.

The station went silent on 1/31/2019 and filed a Silent Special Temporary Authority (“Silent STA”) request on 1/31/2019, FCC File Number: 0000067573. 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>2</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>3</sup> The Silent STA was granted on 1/31/2019.

The station filed a Silent STA extension request on 7/19/2019, FCC File Number: 0000078366, which remains pending. The extension was requested while the station was building its new displacement facility, FCC File Number: 0000051631.

The station filed an Engineering STA, FCC File Number: 0000081085 on 9/9/2019. The Engineering STA was granted on 9/10/2019. The station never resumed operations on Engineering STA, FCC File Number: 0000081085.

The station filed an Engineering STA request, FCC File Number: 0000086303 on 10/11/2019 and the station resumed operations pursuant to the Engineering STA, on 10/14/2019. Engineering STA, FCC File Number: 0000086303 was withdrawn on 7/20/2020, due to the Media Bureau’s request to amend because of corrupted attachments. The Engineering STA was subsequently amended on 8/20/2020 and granted on 10/2/2020.<sup>3</sup> See email correspondence between Renee Ilhardt, HC2, and Hossein Hashemzadeh and Kevin Harding, FCC (July 20, 2020 and August 19, 2020). Copies of the email correspondence and notification posted to LMS record are attached hereto.

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<sup>1</sup> The station is referenced in the Media Bureau’s *DTV America Corporation et al.*, Consent Decree, 32 FCC Rcd 9129 (MB rel. Oct. 31, 2017) (“Consent Decree”).

<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).

<sup>3</sup> Due to the passage of time from the date of filing the Engineering STA, FCC File Number: 0000086303 and its subsequent grant, Licensee certified “No” to Adherence to Operating Parameters certification.

The station filed a modification application, FCC File Number: 0000149795, on 6/7/2021, which was granted on 6/9/2021. The station filed a License to Cover application, FCC File Number: 0000149900, on 6/9/2021 which was granted on 6/10/2021. Since that date, the station has been operating pursuant to its authorized specifications.