

Renewal of License – TV Translator/LPTV Certifications, Discontinued Operations Narrative

DTV America Corporation initiated operations on K35KX-D, Topeka, KS, Facility: 184192, when it filed a License to Cover application, FCC File Number: 0000010828, on 5/16/2016. Accordingly, the certifications contained in this narrative cover the period from 5/16/2016 to the present.

In addition to the periods of silence noted in the Adherence to Minimum Operating Schedule Narrative¹, the station went silent on 11/12/2018 and a Silent Special Temporary Authority (the “Silent STA”), FCC File Number: 0000063547, was filed 11/13/2018. The specific reason for the period of silence was that the station was undertaking efforts to construct its permanent broadcast facility pursuant to the granted Minor Modification application FCC File Number: 0000010975. The exhibit also stated the station, “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.” The Silent STA was granted 11/13/2018.

The station filed an extension to the Silent STA, FCC File Number: 0000072536, on 5/9/2019 while it continued its efforts to construct its permanent displaced broadcast facility. The specific reason for the Silent STA extension was, “the Station ordered its antenna, tower crew, transmitter, and filter.”

The station duly filed a Section 312(g) waiver request on 11/12/2019, FCC File Number: 0000072536. The exhibit stated, “as of the date of this filing, all of the engineering, equipment and deliveries necessary to resume operation of the Station have been received and/or completed, other than installation of the shelter and the antenna. The licensee has experienced significant delays in the permitting process of the City of Topeka and cannot complete the build without final permitting approval.”

In the 3/23/2020 Section 312(g) waiver grant, Commission staff noted, “Consistent with the public interest and prior Bureau actions, we will provide section 312(g) relief to displaced LPTV and TV translator stations that were displaced by the Incentive Auction and pursued new displacement channels.”

The station resumed operations when it filed a License to Cover, FCC File Number: 0000121576 on 9/14/2020. Since that date, the station has been operating pursuant to its authorized specifications. The License to Cover was granted on 4/27/2021.

¹ See attached exhibit included in the License Renewal application.