

Renewal of License Amendment – Adherence to Minimum Operating Schedule Narrative

DTV America Corporation initiated operations on KCMN-LD, Kansas City, MO, Facility: 184190, when it consummated an Assignment of License application, FCC File Number: BAPDTL-20141117AER, on 8/26/2015.

The station went silent on 3/19/2016 and filed a Silent Special Temporary Authority (“Silent STA”) request, FCC File Number: 0000008455, on 3/23/2016. 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 filed a License to Cover application, FCC File Number: 0000010839, on 5/17/2016.

The station was part of 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 was displaced as part of the repacking process and would have needed to build a separate facility to operate on a new channel.³ The station filed a Displacement application on 4/10/2018, FCC File Number: 0000051647.

The station went silent on 5/22/2019 and filed a Silent STA request, FCC File Number: 0000073604, on 5/29/2019. The reason for the period of silence was to repair a damaged HVAC system which made it unsafe to operate the broadcast equipment.

The station filed an Engineering STA on 7/15/2019, FCC File Number: 0000078025, to operate utilizing the technical parameters outlined in the Engineering STA, while the station was being constructed pursuant to the granted construction permit.

The station went silent on 9/15/2020 and filed a Silent STA request, FCC File Number: 0000122452, on 9/25/2020. The specific reason for the silence was that a rigging crew had to

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).

³ See, e.g., *Channel Reassignment PN*.

complete work on the tower. The Silent STA request was withdrawn when a License to Cover was filed on 10/13/2020, FCC File Number: 0000124482, which was granted on 1/5/2021. Since that date, the station has been operating pursuant to its authorized specifications.