

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

KFKY-LD initiated operations in Springfield, MO, Facility: 186283, when it filed a License to Cover application, FCC File Number: 0000005031, on 10/19/2015.

In addition to the periods of silence noted in the Adherence to Minimum Operating Schedule Narrative,¹ the station went silent on 9/20/2018 and a Silent Special Temporary Authority (“Silent STA”), FCC File Number: 0000059827, was filed on 9/22/2018 and granted on 9/22/2018. The reason for the period of silence was that the station was undertaking efforts to construct its permanent broadcast facility pursuant to the granted Displacement application, FCC File Number: 0000052631, as subsequently amended. Additionally, DTV America Corporation 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 filed an extension to the Silent STA, FCC File Number: 0000068580, on 3/19/2019 while it continued its efforts to construct its permanent displaced broadcast facility. The Licensee added new team members to facilitate the planning, design and construction of new facilities and diligently prepared site summaries and sketches, whilst completing the engineering design process and evaluating its Internet options for content delivery. The station was in contact with transmitter manufacturers and collecting quotes from vendors to complete construction.

The station duly filed an amendment to the pending Silent STA request to include a Section 312(g) waiver request on 9/19/2019 and 10/7/2019, FCC File Number: 0000068580, which was granted by letter decision on 10/29/2019.³ In the letter decision, Commission staff noted that due to circumstances beyond KFKY’s control, the station was unable to return to the air prior to the one-year anniversary of going silent and that, “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 application on 3/31/2020, FCC File Number: 0000110708, which was granted on 2/5/2021.

The station filed a modification application on 2/12/2021, FCC File Number: 0000136218. A License to Cover application was filed on 2/17/2021, FCC File Number: 0000136440.

¹ See attached exhibit included in the License Renewal application.

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 Letter from Barbara A. Kreisman, Chief, Video Division, Media Bureau to Renee Ilhardt, DTV America Corporation (Oct. 29, 2019) (unpublished letter decision).

The station went silent on 4/1/2021 and filed a Silent STA request, FCC File Number: 0000143345, on 4/12/2021. The reason for the silent period was to repair a transmitter failure.

The station resumed operations on 5/6/2021 and filed a Resumption of Operations, FCC File Number: 0000144759, on 5/7/2021. Since that date, the station has been operating pursuant to its authorized specifications.⁴

⁴ The station filed an Engineering STA, FCC File Number: 0000163201, on 10/7/2021, which was withdrawn 10/21/2021 and dismissed on 10/25/2021.