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May 19, 2022

**REQUEST FOR ENGINEERING STA FOR KMCF-LD**

Cocla Broadcasting Company, (“licensee”) licensee of LPTV station KMCF-LD, (“Station”), Fresno, CA (Fac ID 156057), hereby requests, to the extent necessary, special temporary authority to operate an analog FM audio carrier as an ancillary or supplementary service within the Station’s assigned digital channel frequencies.

**Background**

KMCF-LD was issued a License modification to convert to ATSC 3.0 with FCC file number 0000179075. By filing this License application, it was expressly stated that the Licensee wished to convert the operation of the Station to ATSC 3.0 format.

In its October 2014 LPTV Third NPRM, the Commission asked, among other things, “whether to allow LPTV stations on digital television channel 6 (82-88 MHz) to operate analog FM radio type services on an ancillary or supplementary basis pursuant to section 73.624(c) of the rules.”<sup>1</sup> Although the record developed in response to the NPRM overwhelmingly supported this approach, the agency took no action in its Third Report and Order and Fourth Notice of Proposed Rulemaking, declaring in a footnote: “We intend to issue a decision on whether to permit digital LPTV stations to operate analog FM radio type services on an ancillary or supplementary basis at a later date.”<sup>2</sup> The Commission refreshed the record in 2020, but has yet to issue a decision.<sup>3</sup> The Licensee believes that under the FCC’s existing rules, it is permitted to offer an audio signal available at 87.75 FM on an ancillary or supplementary basis. See 47 C.F.R. § 73.624(c) (permitting DTV stations to use spectrum “to offer services of any nature, consistent with the public interest, convenience, and necessity, on an ancillary or supplementary basis” provided that such services “do not derogate DTV broadcast stations’ obligations” to

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<sup>1</sup> Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power Television and Television Translator Stations; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Amendment of Part 15 of the Commission’s Rules to Eliminate the Analog Tuner Requirement, Third Notice of Proposed Rulemaking, 29 FCC Rcd. 12536 ¶ 47 (2014).

<sup>2</sup> Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power Television and Television Translator Stations; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Amendment of Part 15 of the Commission’s Rules to Eliminate the Analog Tuner Requirement, Third Report and Order and Fourth Notice of Proposed Rulemaking, 30 FCC Rcd. 14927 ¶ 4 n. 12 (2015).

<sup>3</sup> The Commission is scheduled to consider a Fifth Notice of Proposed Rulemaking on this matter at its June 2022 open meeting.

offer at least one over-the-air video stream at no direct charge to viewers)<sup>4</sup>; 47 C.F.R. § 74.790(i) (incorporating Section 73.624(c) for digital LPTV stations).

### **Specific Request**

This STA requests that the facilities used to broadcast the KMCF-LD ATSC 3.0 signal be authorized to operate with an FM modulated carrier at 87.75 MHz to provide ancillary or supplemental service within the authorized channel for KMCF-LD. In conjunction with the FM modulated carrier, KMCF-LD recognizes it must broadcast an Over-The-Air ATSC 3.0 receivable signal.

To satisfy this commitment, KMCF-LD will provide at least one stream of synchronized video and audio programming on the ATSC 3.0 portion of the spectrum on a full time (24x7) basis. The Station currently transmits video programming originated locally in Fresno, California at no direct charge to viewers. This video programming can be satisfactorily viewed on consumer receiving equipment based on the ATSC 3.0 standard. See 47 C.F.R. § 74.795(b); 47 C.F.R. § 73.790(g)(3).<sup>5</sup>

### **Facilities Proposed**

The proposed facilities include modifying the existing transmitter to add the FM modulated carrier at 87.7 MHz and to carry the ATSC 3.0 signal in the lower 5.5 MHz of the channel 6 allocated spectrum, as permitted under the ATSC 3.0 standard, and to meet all other FCC emission and other requirements outlined in the existing rules pertaining to ATSC 3.0 operation. In addition, should any interference occur to other stations, the Licensee will modify its operation so as to eliminate the interference. The licensee will document any complaints or concerns raised with regard to potential interference claims. In addition, the coverage provided by the ATSC 3.0 signal and the FM analog service be to similar populations. If requested, a report will be compiled and submitted to the FCC at the 90 day and 180 day periods of this operation.

The transmission system for this STA operation, including the antenna and transmission line to it, used for the radiation of the ATSC 3.0 digital signal will be the same as the existing ATSC 3.0 system but includes an FM modulator, amplifier chain and combiner to add the FM service to the existing ATSC 3.0 equipment. The combined transmission system will feed the ATSC 3.0 and FM services to the existing transmission line and antenna.

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<sup>4</sup> Section 73.624(c) specifically authorizes the provision of ancillary or supplementary “aural messages” and “audio signals” on a broadcast, point-to-point, or point-to-multipoint basis. 47 C.F.R. § 73.624(c)

<sup>5</sup> Although Section 74.795(b) references the DTV standard in Section 73.682(d), Section 73.682(f) permits the use of ATSC 3.0 “[a]s an alternative to broadcasting only an ATSC 1.0 signal,” 47 C.F.R. § 73.682(f), and Section 74.782 permits LPTV stations to operate exclusively using the ATSC 3.0 standard, id. § 74.782(c).

Sincerely,

A handwritten signature in black ink that reads "Gregory L. Best, P.E.". The signature is written in a cursive style with a horizontal line through the middle of the letters.

Consulting Engineer