

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY (MULTICAST HOSTS)**

Independence Television Company (“Block”), licensee of digital full power television station WBKI(TV), Salem, ID (Fac ID 34167) (“WBKI”), hereby submits this request for special temporary authority to host WBKI’s ATSC 1.0-formatted multicast channels on television stations other than WBKI’s primary ATSC 1.0 simulcast host to allow WBKI to serve over-the-air viewers in the Louisville DMA. Block is requesting authorization to allow WBKI’s non-primary programming streams (multicast streams) to be aired in an ATSC 1.0 format, with no ATSC 3.0 simulcast, as follows:

Stream	Host Station
58.2 (MyNetwork)	WDRB
58.3 (Cozi)	WAVE
58.4 (Movies!)	WLKY
58.5 (True Real)	WDRB
58.6 (Defy)	WDRB

Block requests that, for purposes of enforcement and application of the Commission’s rules, WBKI be treated as if it is airing the multicast streams over the facilities of the aforementioned stations and be the responsible party under the Communications Act and Commission rules and regulations akin to the manner that the Commission treats ATSC 1.0 primary simulcast streams under the Next Gen TV rules.

Block notes that it has already submitted an application for WBKI to voluntarily convert to the ATSC 3.0 transmission standard beginning on September 12, 2022 (the “WBKI Next Gen App”). Under the transition plan for the Louisville DMA (in which WBKI is located), WBKI will host its own ATSC 3.0-formatted primary channel along with the ATSC 3.0-formatted primary channels of WDRB, WAVE, WLKY, WHAS and WBNA. WBKI’s ATSC 1.0-formatted CW network primary channel will be hosted by Gray Television-owned WAVE.

In addition to its primary CW programming stream, WBKI also transmits five other ATSC 1.0-formatted multicast channels. Because of ATSC 1.0 capacity limitations, WBKI’s primary 1.0 host, Gray Television-owned WAVE, does not have sufficient bandwidth capacity to host all of WBKI’s multicast channels in ATSC 1.0. Accordingly, WBKI’s multicast channels would be hosted as follows: (i) MyNetwork, True Real and Defy on Block-owned sister station WDRB; (ii) Movies! on Hearst-owned WLKY; and (iii) Cozi on Gray-owned WAVE (along with Gray’s hosting of WBKI’s primary CW programming stream). Block will indemnify Hearst and Gray with respect to the content of the hosted multicast channels and will be responsible for the multicast channels’ compliance with all applicable laws and regulations. To avoid viewer

confusion, each of WBKI's current multicast channels would retain its existing PSIP major/minor channel numbers.

Due to ATSC 3.0 capacity and other constraints attendant with the multi-station and multi-market coordination needed for successful ATSC 3.0 deployment across the country, it is not feasible for WBKI to simulcast an ATSC 3.0 version of its multicast streams without unduly minimizing, if not largely eliminating, the benefits to the public and the participating stations of transitioning to ATSC 3.0. Simulcasting those streams in ATSC 3.0 would reduce capacity available to NextGen stations for offering consumers the improved services that ATSC 3.0 enables. The types of services and improvements that would be precluded would include enhanced video featuring High Dynamic Range, Wide Color Gamut and High Frame Rate, immersive and multiple audio channels using Dolby AC-4, Advanced Emergency Alerting and Information functions as part of a broadcast receiver application, and non-real time interactive data delivery. Each of these requires a portion of the ATSC 3.0 capacity that would be unavailable were WBKI to carry multicast program streams as the ATSC 3.0 host for stations in the Louisville market. Furthermore, significant additional engineering work and more equipment would be required to simulcast WBKI's multicast streams in ATSC 3.0 and ATSC 1.0 formats. Obtaining, installing, and testing that equipment would, at minimum, delay rollout of ATSC 3.0 in the Louisville market.

The proposed multicast arrangements will serve the public interest by enabling most current over-the-air viewers to continue to have access to WBKI's multicast streams. The service contours of the respective ATSC 1.0 hosts cover a majority of WBKI's current service area population:

Stream	Host Station	Service Area Coverage
58.2 (MyNetwork)	WDRB	97.7%
58.3 (Cozi)	WAVE	90.1%
58.4 (Movies!)	WLKY	91.9%
58.5 (True Real)	WDRB	97.7%
58.6 (Defy)	WDRB	97.7%

Although the coverage on WAVE and WLKY is below the 95 percent threshold required for expedited processing, the Bureau has previously authorized Next Gen TV stations to utilize a 1.0 multicast host whose coverage is less than 95 percent of its original 1.0 coverage area in order to preserve programming during the transition.<sup>1</sup> Further, in the pending *Second ATSC 3.0 FNPRM*, the Commission tentatively concluded that a Next Gen TV station may utilize a multicast host that

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<sup>1</sup> See, e.g., Letter from Barbara A. Kreisman, Chief, Video Division, Media Bureau, to Block Television Licensee, LLC (rel. Dec. 1, 2021) (on file at LMS File No. 0000169771); Letter from Barbara A. Kreisman, Chief, Video Division, Media Bureau, to Hearst Stations Inc. (rel. June 14, 2021) (on file at LMS File No. 0000145858).

covers less than 95 percent of its original coverage area, so long as the multicast host is within the same DMA and covers the Next Gen TV station's community of license.<sup>2</sup> Each of the proposed host stations meets this standard.

In addition, as the WBKI Next Gen App explains, most of the service loss from moving the WBKI multicast streams to WAVE and WLKY is service loss outside the Louisville DMA. For example, for the streams hosted by WAVE, only 20,728 persons located within the Louisville DMA would lose WBKI's ATSC 1.0 service as a result of the simulcasting arrangement, constituting just 0.95% of the population within the noise limited service contour served by WBKI's original ATSC 1.0 signal and located within the DMA. Similarly, for the one multicast stream hosted by WLKY, only 15,725 persons located within the Louisville DMA would lose WBKI's ATSC 1.0 service as a result of the simulcasting arrangement, constituting just 0.72% of the population within the noise limited service contour served by WBKI's original ATSC 1.0 signal and located within the DMA.

Absent the arrangement with WDRB, WAVE and WLKY, all over-the-air viewers would lose access to WBKI's multicast streams. Additionally, the arrangements will preserve access to those WBKI multicast streams for viewers who are receiving them via MVPDs. Block has provided the requisite notice to MVPDs regarding relocation of WBKI's primary ATSC 1.0 stream and its non-primary multicast streams. Block will work with all impacted MVPDs to ensure that they continue to receive a good quality signal of the non-primary multicast streams, whether that be over-the-air or via alternate delivery methods. WBKI will also air public service announcements to inform viewers of its upcoming transition and of the need for viewers to rescan their televisions after the transition date in order to maintain over-the-air access to WBKI's program streams in the current format.<sup>3</sup>

In its Second FNPRM, the Commission recognized that its "existing rules do not address the licensing of multicast streams" but that "a Next Gen TV broadcaster that has converted or is seeking to convert its facility to 3.0 can seek special temporary authority (STA) to air 1.0 multicast streams on a host station."<sup>4</sup> As the Commission further explained, "these STAs permit a guest multicast stream to be treated as if it originated from the Next Gen TV broadcaster's facility, as opposed to the host station's facility, for purposes of the Commission's rules and the Communications Act."<sup>5</sup>

Consistent with the FCC's proposal in the Second FNPRM, Block's use of multiple ATSC 1.0 hosts will allow it to maintain existing service to viewers without burdening any party. Block acknowledges that the use of multiple ATSC 1.0 hosts does not create any new carriage rights for its multicast streams. Block seeks the Commission's recognition of its proposed multi-host

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<sup>2</sup> *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*, Second Further Notice of Proposed Rulemaking, GN Docket No. 16-142, FCC 21-116, para. 32 (rel. Nov. 5, 2021) ("Second FNPRM").

<sup>3</sup> See 47 C.F.R. § 73.3801(g).

<sup>4</sup> Second FNPRM ¶ 6.

<sup>5</sup> *Id.*

arrangements simply to provide needed clarity: (i) that the hosting arrangements do not implicate the broadcast ownership rules, and (ii) that WBKI, as the originator of each multicast stream at issue, is “responsible for regulatory compliance regarding the multicast stream being aired on a host station.”<sup>6</sup>

Finally, Block notes that WBKI fulfills all of its children’s programming requirements by airing core E/I programming on WBKI’s primary stream; WBKI, being a CW affiliate, has three hours of CW provided E/I core programming that runs on Saturday mornings. And, in an abundance of caution, WBKI runs an extra hour of core programming on Sunday. Accordingly, WBKI does not, and does not intend to, rely on any programming broadcast on its multicast streams for compliance with the Commission’s children’s programming requirements. As such, neither WBKI’s compliance with the Commission’s Children’s Television Programming requirements nor viewers’ access to the station’s required core programming will be affected by the relocation of WBKI’s multicast signals as proposed herein.

For the reasons set forth above, the Commission should promptly grant Block’s request for Special Temporary Authority, to the extent required, to broadcast WBKI’s ATSC 1.0-formatted multicast channels via the facilities of WDRB, WAVE and WLKY after WBKI converts its broadcast transmission to the Next Gen TV standard.

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<sup>6</sup> *Id.* ¶ 11.