

ATSC 3.0 EXHIBIT

Edge Spectrum, Inc. ("Licensee"), the licensee of low power television station W25FK-D, Panama City, FL (FID 182839) (the "Station") files this application for authority nunc pro tunc to convert its ATSC 1.0 license to an ATSC 3.0 license.

On or around January 18, 2022, the Station completed construction of the technical facilities specified in its displacement construction permit (File No. 0000054044) and began operations using an ATSC 3.0 signal. The Station is in compliance with the ATSC 3.0 rules for digital LPTV stations. The Station has transitioned directly to ATSC 3.0 without simulcasting as permitted under Section 74.782(c) of the Commission's Rules, 47 C.F.R. § 74.782(c).

The Licensee certifies pursuant to Section 74.782(h) of the Commission's Rules, 47 C.F.R. § 74.782(h), that the Station was silent during the 30 days prior to terminating ATSC 1.0 operations, but that the Station provided public notice of its transition to ATSC 3.0 for more than 30 days by local newspaper. The Licensee further certifies that no notice to MVPDs was required under Section 74.782(i) of the Commission's Rules, 47 C.F.R. § 74.782(i).

To the extent necessary, Licensee seeks a waiver of Section 74.782(g) regarding the licensing of stations converting to ATSC 3.0 operation for good cause shown. 47 C.F.R. § 1.3. Because the Station was not operating in the time period immediately preceding its transition to ATSC 3.0, the Licensee overlooked the requirement to notify the Commission of the Station's operating status in its license to cover. Waiver here is in the public interest because the Station cannot simply convert to ATSC 1.0 operations and it would not benefit viewers for the Station to suspend service.