

## Evan Morris

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**From:** Evan Morris  
**Sent:** Thursday, August 25, 2022 3:32 PM  
**To:** 'Roy Stype'; 'DENNISCARPENTER@GMAIL.COM'  
**Cc:** Mark Colombo; Shaun Maher; 'GSkall@tlp.law'; Samuel Asein  
**Subject:** RE: WMCN-LP Deficient License to Cover Application

Apologies. The call sign for the station is WCMN-LP. Additionally, the rule cited below should have been 47 CFR § 73.3568(a).

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**From:** Evan Morris  
**Sent:** Thursday, August 25, 2022 3:30 PM  
**To:** Roy Stype <rstype@aol.com>; DENNISCARPENTER@GMAIL.COM  
**Cc:** Mark Colombo <Mark.Colombo@fcc.gov>; Shaun Maher <Shaun.Maher@fcc.gov>; GSkall@tlp.law; Samuel Asein <Samuel.Asein@fcc.gov>  
**Subject:** WMCN-LP Deficient License to Cover Application  
**Importance:** High

Roy and Licensee,

This e-mail gives the licensee until Thursday, September 1 to file the amendment requested below or we will be dismissing the application for failure to prosecute under 47 CFR . By that date licensee will have been given over 30 days to provide the requested information. If the license to cover is dismissed, licensee will need re-file, re-pay the filing fee, cease operation, and any operation after the application is dismissed will be considered unauthorized.

A copy of this e-mail chain has been uploaded to the Station's application.

Regards,  
Evan

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**From:** Roy Stype <[rstype@aol.com](mailto:rstype@aol.com)>  
**Sent:** Thursday, July 28, 2022 7:04 PM  
**To:** Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)>  
**Cc:** Mark Colombo <[Mark.Colombo@fcc.gov](mailto:Mark.Colombo@fcc.gov)>; Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>; [GSkall@tlp.law](mailto:GSkall@tlp.law); Samuel Asein <[Samuel.Asein@fcc.gov](mailto:Samuel.Asein@fcc.gov)>  
**Subject:** Re: [EXTERNAL]: Fwd: LPTV Next Gen question

Thanks Evan. I'll try to contact our client tomorrow and figure out how theyw want to handle this.

Roy

-----Original Message-----

From: Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)>  
To: 'Roy Stype' <[rstype@aol.com](mailto:rstype@aol.com)>  
Cc: Mark Colombo <[Mark.Colombo@fcc.gov](mailto:Mark.Colombo@fcc.gov)>; Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>; Gregg Skall <[GSkall@tlp.law](mailto:GSkall@tlp.law)>; Samuel Asein <[Samuel.Asein@fcc.gov](mailto:Samuel.Asein@fcc.gov)>  
Sent: Thu, Jul 28, 2022 4:21 pm  
Subject: RE: [EXTERNAL]: Fwd: LPTV Next Gen question

Roy,

This station's license to cover remains pending as we need one more piece of information. Because the station was silent it was unable to run its on-air viewer notices, as required by the ATSC 3.0 rules. We will need you to amend the license to cover to provide how you notified viewers that you would be resuming operation in ATSC 3.0. If you didn't do something at the time a commitment to make some sort of effort (posting on your website, publishing a notice in a local newspaper) for 30 days to inform viewers that the station is now in ATSC 3.0.

FCC 20-181, Para. 39: Further, pursuant to our existing rules, LPTV stations that are unable to air the required ATSC 3.0 consumer education notifications because they are not operational (i.e., silent or newly constructed) may seek a waiver of the Commission's notice requirement from the Media Bureau. [FN131- See *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990); *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); 47 CFR § 1.3 (waiver for good cause shown). Stations should file requests for waiver as a Legal STA in the Commission's Licensing and Management System (LMS). All waiver requests will be evaluated on a case-by-case basis and must include the following information: (1) an explanation describing why the station is unable to comply with the existing consumer education requirements; (2) an alternative but comparable means the station will use to notify viewers of the station's new channel or if the station has previously not been operational (i.e., is newly built) why notice would not be in the public interest; and (3) how grant of the waiver request complies with the Commission's general waiver standard. A station may propose to provide alternative notification to viewers through, for example, local newspaper, radio, other in-market television stations, and/or digital and social media. See, e.g., *Incentive Auction Task Force and Media Bureau Remind Repacked Stations of Certain Post-Auction Transition Requirements and Deadlines*, MB Docket No. 16-306 and GN Docket No. 12-268, Public Notice, 33 FCC Rcd 8240, 8245, para. 15, n.41 (IATF & MB 2018)]

Sorry for the delay. This got lost in the mix, but hopefully we can resolve this quickly and get you that license.

-Evan

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**From:** Evan Morris  
**Sent:** Friday, July 16, 2021 3:39 PM  
**To:** Roy Stype <[rstyle@aol.com](mailto:rstyle@aol.com)>; Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>  
**Cc:** Mark Colombo <[Mark.Colombo@fcc.gov](mailto:Mark.Colombo@fcc.gov)>; Hossein Hashemzadeh (CTR) <[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)>; Mohan Simon <[Mohan.Simon@fcc.gov](mailto:Mohan.Simon@fcc.gov)>  
**Subject:** RE: [EXTERNAL]: Fwd: LPTV Next Gen question

Same to you.

Evan

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**From:** Roy Stype <[rstyle@aol.com](mailto:rstyle@aol.com)>  
**Sent:** Friday, July 16, 2021 3:02 PM  
**To:** Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)>; Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>  
**Cc:** Mark Colombo <[Mark.Colombo@fcc.gov](mailto:Mark.Colombo@fcc.gov)>; Hossein Hashemzadeh (CTR) <[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)>; Mohan Simon <[Mohan.Simon@fcc.gov](mailto:Mohan.Simon@fcc.gov)>  
**Subject:** Re: [EXTERNAL]: Fwd: LPTV Next Gen question

Evan,

We were planning to do that pursuant to the special operating condition, but thanks for the reminder.

Have a nice weekend!

Roy

-----Original Message-----

**From:** Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)>  
**To:** Roy Stype <[rstyle@aol.com](mailto:rstyle@aol.com)>; Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>  
**Cc:** Mark Colombo <[Mark.Colombo@fcc.gov](mailto:Mark.Colombo@fcc.gov)>; Hossein Hashemzadeh (CTR) <[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)>; Mohan Simon <[Mohan.Simon@fcc.gov](mailto:Mohan.Simon@fcc.gov)>  
**Sent:** Fri, Jul 16, 2021 2:45 pm  
**Subject:** RE: [EXTERNAL]: Fwd: LPTV Next Gen question

Roy,

Please note that first you need to request program test authority, since this is channel 14, by sending Mark Colombo (cc'd here) an email with the required documentation. After PTA has been authorized, then follow the instructions below.

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**From:** Roy Stype <[rstype@aol.com](mailto:rstype@aol.com)>  
**Sent:** Thursday, July 15, 2021 1:50 PM  
**To:** Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>  
**Cc:** Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)>; Mark Colombo <[Mark.Colombo@fcc.gov](mailto:Mark.Colombo@fcc.gov)>; Hossein Hashemzadeh (CTR) <[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)>; Mohan Simon <[Mohan.Simon@fcc.gov](mailto:Mohan.Simon@fcc.gov)>  
**Subject:** Re: [EXTERNAL]: Fwd: LPTV Next Gen question

Thanks Shaun. That's what I figured, but I wanted to make sure I wasn't missing something.

Roy

-----Original Message-----

**From:** Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>  
**To:** Roy Stype <[rstype@aol.com](mailto:rstype@aol.com)>  
**Cc:** Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)>; Mark Colombo <[Mark.Colombo@fcc.gov](mailto:Mark.Colombo@fcc.gov)>; Hossein Hashemzadeh (CTR) <[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)>; Mohan Simon <[Mohan.Simon@fcc.gov](mailto:Mohan.Simon@fcc.gov)>  
**Sent:** Thu, Jul 15, 2021 1:45 pm  
**Subject:** RE: [EXTERNAL]: Fwd: LPTV Next Gen question

They need to first file a regular license to cover. In that application, note that they will be commencing operation in ATSC 3.0. Then they file a 3.0 minor modification application. LMS doesn't support a license to cover for 3.0.

Shaun Maher

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**From:** Roy Stype <[rstype@aol.com](mailto:rstype@aol.com)>  
**Sent:** Thursday, July 15, 2021 1:34 PM  
**To:** Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>  
**Subject:** [EXTERNAL]: Fwd: LPTV Next Gen question

**CAUTION:** This email originated from outside of the Federal Communications Commission. Do not click on links or open attachments unless you recognize the sender and trust the content to be safe. If you suspect this is a phishing attempt, please use the 'Report Message' feature in Microsoft Outlook or forward the email to the NSOC.

-----Original Message-----

**From:** Roy Stype <[rstype@aol.com](mailto:rstype@aol.com)>  
**To:** [mark.colombo@fcc.gov](mailto:mark.colombo@fcc.gov) <[mark.colombo@fcc.gov](mailto:mark.colombo@fcc.gov)>  
**Sent:** Thu, Jul 15, 2021 1:32 pm  
**Subject:** LPTV Next Gen question

Hi Mark,

WCMN-LP (Facility ID 62341), which ceased analog operation on Channel 13 earlier this week, is presently silent, but is preparing to commence equipment tests with its Channel 14 digital companion channel facilities for land mobile interference testing. They plan to commence digital operation using Next Gen TV immediately. I can't seem to find a way in the LMS to modify their CP (0000141562) to specify Next Gen operation. Is there a way to do this, or should we just plan to license the present CP and then immediately file an application to modify the license to convert to Next Gen operation?

Thanks!

Roy Stype  
Carl E. Smith Consulting Engineers  
330/659-4440