

## **Renewal of License – Adherence to Minimum Operating Schedule Narrative**

DTV America Corporation initiated operations on KQMK-LD, Facility ID: 183619, Omaha, NE when it filed a License to Cover, FCC File Number: 0000010513 on 4/13/2016. Accordingly, the certifications contained in this narrative cover the period from 4/13/2016 to the present.

The station went silent on 8/11/2016 and filed a Silent Special Temporary Authority (“Silent STA”) request, FCC File Number: 0000013686 on 8/16/2016. The specific reason for the period of silence was outlined in the Media Bureau’s *DTV America Corporation et al.*, Consent Decree, 32 FCC Rcd 9129 (MB rel. Oct. 31, 2017) (“Consent Decree”). The Silent STA was granted on 8/16/2016.

The station resumed operations on 9/23/2016 when it filed a License to Cover, FCC File Number: 0000014083 on 9/23/2016. The License to Cover was granted on 11/28/2017.

HC2 Broadcasting acquired majority control of the license for KQMK-LD, Facility ID: 183619, Omaha, NE pursuant to a transfer of control application as part of the Consent Decree, 32 FCC Rcd 9129 (MB 2017). The acquisition was consummated on 11/9/2017.

The Transferor was: DTV America Corporation. The Lead File Number was: BTCDTL-20170714ABI and the Member File Number was: BTCDTL-20170714ADO.

The station went silent on 11/28/2017 and filed a Silent STA request, FCC File Number: 0000036346 on 12/14/2017. The specific reason for the extended period of silence was, “Pursuant to the terms of the Consent Decree, the FCC granted licensee’s previously pending license to cover application for this facility. Due to the passage of time and the recent change in control of the facility, Applicant requests authority to take the station off-air while it reviews the operational status of the station and implements any steps necessary to begin operating the station consistent with the recently granted license to cover.” The Silent STA was granted on 12/14/2017.

The station extended the Silent STA when it filed a Silent STA Extension, FCC File Number: 0000055134 on 6/11/2018. The specific reason for the period of silence was, “to avoid the inefficiency and waste associated with building a second, duplicative broadcast facility that can only be used for a short period of time. The station may be displaced as part of the repacking process and would need to build a separate facility to operate on a new channel.<sup>1</sup> Thus, if required to resume transmission prior to the STA’s current expiration date, DTV America may be forced to build a first facility to operate on the station’s current channel and then, soon after, a second facility to operate on the station’s new channel.” The station had applied for a Displacement Channel, FCC File Number:0000052625 on 4/13/2018, which remained pending at the time of the Silent STA extension request.

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<sup>1</sup> See, e.g., *Channel Reassignment PN*.

The station Resumed Operations on 10/23/2018 and filed a Resumption of Operations, FCC File Number: 0000063196 on 10/31/2018.

The station went silent on 10/23/2018 and filed a Silent STA, FCC File Number: 0000063211 on 10/31/2018. The specific reason for the period of silence was, “DTV America is operating in a resource-constrained environment due to the ongoing 600 MHz Incentive Auction repacking process. Station owners seeking to build new broadcast facilities currently have access to far fewer resources than they would have otherwise, a factor that the FCC and its bureaus acknowledged could become an issue when designing the repacking process to facilitate this ‘once-in-lifetime opportunity to expand the benefits of mobile wireless coverage.’”<sup>2</sup> The station was diligently building the Displacement Application, FCC File Number: 0000052625 which was granted on 7/2/2018. The Silent STA was granted on 10/31/2018.

The station extended the Silent STA when it filed a Silent STA Extension, FCC File Number: 0000072073 on 4/22/2019. The specific reason for the extended period of silence was the station was diligently building the Displacement Application, FCC File Number: 0000052625 which was granted on 7/2/2018. The exhibit stated, “The Station’s site survey is completed and has received a quote for its transmitter and filter.”

The station duly filed a Section 312(g) waiver request on 10/22/2019, FCC File Number: 0000072073, which was granted on 3/23/2020.<sup>3</sup>

The station resumed operations when it filed a License to Cover, FCC File Number: 00000116995 on 7/6/2020. Since that date, the station has been operating pursuant to its authorized specifications. The License to Cover was granted on 7/7/2020.

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<sup>2</sup> 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).

<sup>3</sup> See attached Discontinued Operations exhibit included in the License Renewal application.