

REQUEST FOR SPECIAL TEMPORARY AUTHORITY (MULTICAST HOSTS)

Mission Broadcasting, Inc. ("Mission"), the licensee of digital full power television station KASY-TV, RF Channel 36, Albuquerque, New Mexico (FID 55049), hereby requests special temporary authority ("STA") to host KASY-TV's ATSC 1.0-formatted multicast channels on television stations other than KASY-TV to allow KASY-TV to serve over-the-air viewers in the Albuquerque-Santa Fe, NM DMA. Specifically, Mission requests authority to broadcast KASY-TV's multicast streams in an ATSC 1.0 format, with no ATSC 3.0 simulcast, as follows:

RF Stream	Host Station	FID	Licensee
36.2 (Ion Mystery)	KWBQ(DT), Santa Fe, NM	76268	Mission*
36.3 (Get TV)	KRQE(DT), Albuquerque, NM	48575	Nexstar Media Inc.
36.4 (Court TV)	KRQE(DT), Albuquerque, NM	48575	Nexstar Media Inc.
36.5 (Antenna TV)	KOAT-TV, Albuquerque, NM	53928	Hearst Properties Inc.

*KWBQ(DT) is also owned by Mission and will be KASY-TV's primary signal ATSC 1.0 simulcast host.

Mission requests that for purposes of enforcement and application of the Commission's rules, KASY-TV be treated as if it is airing the multicast streams over the facilities of the aforementioned stations and be the responsible party under the 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.

Concurrently herewith, Mission is filing an application to voluntarily convert KASY-TV to the ATSC 3.0 transmission standard. Under the transition plan for the Albuquerque-Santa Fe, NM DMA (in which KASY-TV is located), KASY-TV will host its own ATSC 3.0-formatted primary channel along with the ATSC 3.0-formatted primary and certain multicast channels of KWBQ, KRQE and KOAT-TV. KASY-TV's ATSC 1.0-formatted primary and .2 channels will be hosted by KWBQ(DT). KASY-TV also transmits three additional ATSC 1.0-formatted multicast channels. Because of ATSC 1.0 capacity limitations, KWBQ does not have sufficient bandwidth capacity to host these multicast channels in ATSC 1.0, and those channels would be hosted as follows: Get TV and Court TV on KRQE, and Antenna TV on KOAT-TV. Mission will indemnify the licensees of the host stations 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 KASY-TV'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 KASY-TV to simulcast ATSC 3.0 versions 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 Mission to carry multicast program streams as the ATSC 3.0 host for stations in the Albuquerque-Santa Fe market.

Furthermore, significant additional engineering work and more equipment would be required to simulcast KASY-TV'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 Albuquerque-Santa Fe market.

The proposed multicast arrangements will serve the public interest by enabling nearly all current over-the-air viewers to continue to have access to KASY-TV's multicast streams. As demonstrated in the accompanying engineering exhibit, the service contours of the respective ATSC 1.0 hosts cover 100% of KASY-TV's current service area population:

RF Stream	Host Station	Service Area Coverage
36.2 (Ion Mystery)	KWBQ(DT)*	100%
36.3 (Get TV)	KRQE(DT)	100%
36.4 (Court TV)	KRQE(DT)	100%
36.5 (Antenna TV)	KOAT-TV	100%

*KWBQ will also be KASY-TV's primary signal ATSC 1.0 simulcast host.

Absent the arrangement with these stations, all over-the-air viewers would lose access to KASY-TV's multicast streams. Mission will provide the requisite notices to MVPDs regarding relocation of KASY-TV's primary ATSC 1.0 stream and its non-primary multicast streams. Mission 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. KASY-TV 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 KASY-TV's program streams in the current format.¹

In its November 5, 2021 Second Further Notice of Proposed Rulemaking, 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."² 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."³

Consistent with the FCC's proposal in the Second FNPRM, KASY-TV's use of multiple ATSC 1.0 hosts will allow it to maintain existing service to viewers without burdening any party. Mission acknowledges that the use of multiple ATSC 1.0 hosts does not create any new carriage rights for its multicast streams. Mission seeks the Commission's recognition of its proposed multi-host arrangements simply to provide needed clarity: (1) that the hosting arrangements do not implicate the broadcast ownership rules, and

¹ See 47 C.F.R. § 73.3801(g).

² *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*. Second Further Notice of Proposed Rulemaking, GN Dkt. No. 16-142, FCC 21-116, ¶ 6 (rel. Nov. 5, 2021) (the "Second FNPRM").

³ *Id.*

(2) that KASY-TV, as the originator of each multicast stream at issue, is “responsible for regulatory compliance regarding the multicast stream being aired on a host station.”⁴

Finally, Mission notes that KASY-TV 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 KASY-TV’s compliance with these requirements nor viewers’ access to the station’s required core programming will be affected by the relocation of KASY-TV’s multicast signals as proposed herein.

For the reasons set forth above, Mission requests that the Commission should grant STA, to the extent required, to broadcast KASY-TV’s ATSC 1.0-formatted multicast channels via the facilities of KWBQ(DT), KRQE(DT) and KOAT-TV as set forth herein after KASY-TV converts its broadcast transmission to the Next Gen Television standard.

⁴ *Id.* ¶ 11.