

Renewal of License – TV Translator/LPTV Certifications, Discontinued Operations Narrative

DTV America Corporation (“DTV”) acquired K12XJ-D, Facility ID: 68022, Modesto, CA pursuant to an Assignment of License, FCC File Number: BALTT-20141208ABK. The Assignor was: Regal Media, Inc. The acquisition was consummated on 6/2/2015. Accordingly, the certifications contained in this narrative cover the period from 6/2/2015 to the present.

In addition to the periods of silence noted in the Adherence to Minimum Operating Schedule Narrative¹, the station went silent on 11/12/2018 and a Silent Special Temporary Authority (“Silent STA”), FCC File Number: 0000063584, was filed and granted on 11/14/2018. The specific reason for the period of silence was that the station was undertaking efforts to construct its permanent broadcast facility pursuant to the granted Displacement application, FCC File Number: 0000051632. Additionally, DTV America Corporation was operating in a resource-constrained environment due to the 600 MHz Incentive Auction repacking process. Station owners, particularly LPTV station owners which were deemed lower priority, that were seeking to build new broadcast facilities had access to far fewer resources such as tower crews and equipment than they would have had otherwise, a factor that the Commission and the Media Bureau acknowledged.²

The station filed an extension to the Silent STA, FCC File Number: 0000072537, on 5/9/2019 while it continued its efforts to construct its permanent displaced broadcast facility. The specific reason for the extended period of silence was the station was building the facility outlined in the Displacement, FCC File Number: 0000051632. While the internet had been installed, there were delays to the build being completed due to the late arrival of the transmitter and filter.

The station duly filed a Section 312(g) waiver request on 11/12/2019, FCC File Number: 0000072537, which was granted on 3/23/2020. In the grant, Commission staff noted, “Consistent with the public interest and prior Bureau actions, we will provide section 312(g) relief to displaced LPTV and TV translator stations that were displaced by the Incentive Auction and pursued new displacement channels.”

The station resumed operations when it filed a License to Cover, FCC File Number: 0000114101, on 5/21/2020. The License to Cover was granted on 5/26/2020. Since that date, the station has been operating pursuant to its authorized specifications.

¹ See attached exhibit included in the License Renewal application.

² 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).