

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

HC2 acquired the license for WTXX-CD, Facility ID: 31453, New Haven, CT pursuant to an assignment application. The Assignor was: Tyche Media LLC. The Lead File Number was: BAL-20171229AAY and the Member File Number was: BAL-20171229AAZ. The acquisition was consummated on 3/1/2018. Accordingly, the certifications contained in this narrative cover the period from 3/1/2018 to the present.

The station went silent on 10/16/2018 when it began channel sharing pursuant to the specifications outlined in Legal STA, FCC File Number: 0000058634.

The station duly filed a Silent STA Request and Section 312(g) waiver request, FCC File Number: 0000150008 on 6/11/2021. The Silent STA request was amended on 7/23/2021 and 8/2/2021. The specific reason for the continued period of silence was, “WTXX was licensed to operate on channel 34 but was displaced by full power station WTIC-TV, Hartford, CT during the post-auction repacking process. As a result, Commission staff granted WTXX a displacement construction permit for operations on channel 29 (File No. 0000053148). HC2 could not construct the WTXX channel 29 facilities until that channel was vacated by WUTF-TV, Worcester, Massachusetts (Facility ID No. 30577) (“WUTF”). WUTF remained licensed on its pre-auction channel 29 until approximately August 7, 2020 when it moved to its licensed post-auction facilities to channel 19. 1 As a practical matter, therefore, HC2 has had less than a year in which to make any progress in completing the build-out of its channel 29 displacement facilities. In the meantime, in order to continue providing service to the viewing public, and following Commission approval of LPTV stations as channel sharees,2 in 2018 HC2 entered into a channel sharing agreement on channel 21 with Connecticut Public Broadcasting, licensee of WEDW(TV), Bridgeport, Connecticut (Facility ID No. 13594) (“WEDW”), and MRJ station WZME(TV), Bridgeport, Connecticut (Facility ID No. 70493) (“WZME”). The Commission authorized WTXX’s channel share arrangements through an engineering STA that was extended several times, 3 and HC2 has now filed the pending STA-silent/312(g) waiver request at the direction of Commission staff. HC2 had intended to license the WTXX channel share facilities, but was unaware that doing so would require WTXX to forego its displacement construction permit. HC2 is now confirming that it intends to remove WTXX from the channel share arrangement and complete construction of its channel 29 displacement facilities. HC2 has made diligent efforts to complete construction of its displacement construction permit facilities, notwithstanding the fact that the displacement channel did not become fully available until August 2020. HC2 has secured a transmitter site and recently received a modified construction permit for that location.4 In addition, HC2 is in the process of ordering the 1 File No. 0000120256. 2 Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, Report and Order, FCC 17-29, ¶ 11 (2017). 3 See File Nos. 0000068598, 0000082052, 0000121167. 4 File No. 0000150911 (granted June 24, 2021). 2 transmitter, antenna, and other necessary components to complete the buildout of its channel 29 displacement facilities. HC2 fully expects to complete construction of the authorized facilities in the autumn before the construction season in New England ends, but in

any event prior to the construction permit deadline on March 22, 2022. For the foregoing reasons, HC2 respectfully requests that the Commission grant WTXX's request for an STA to remain silent and an associated waiver of Section 312(g) of the Act."

The Silent STA request and Section 312(g) waiver request was granted on 8/13/2021.¹

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 Discontinued Operations exhibit included in the License Renewal application.