

Request for Extension of Special Temporary Authority

Deerfield Media (San Antonio) Licensee, LLC (“Licensee”), licensee of KMYS(TV), Kerrville, TX (Facility ID 51518; RF Channel 32), hereby requests an extension of the Special Temporary Authority (“STA”) that was granted on June 15, 2022 (and extended on December 16, 2022) in connection with KMYS(TV)’s launch of ATSC 3.0 broadcast service. *See* File Nos. 0000191506 and 0000204826. On June 16, 2022, Licensee commenced ATSC 3.0 operations from KMYS(TV)’s current facility, which serves as the ATSC 3.0 host for stations in the San Antonio, TX market, and began simulcasting its primary stream in ATSC 1.0 format on KCWX(TV), Fredericksburg, TX (Facility ID 24316; RF Channel 5) (*see* File No. 0000191505). Additionally, Licensee began airing its multicast streams affiliated with *TBD* and *Stadium* in ATSC 1.0 format on KABB(TV), San Antonio, TX (Facility ID 53528; RF Channel 30) pursuant to a written hosting agreement with KABB Licensee, LLC (“Sinclair”). This request seeks an extension of STA to allow KMYS(TV) to continue the hosting arrangements for the broadcast of these multicast streams in ATSC 1.0 format from the facilities of KABB(TV).

As explained in Licensee’s original request for STA, KMYS(TV) is not able to air its multicast streams on KCWX(TV), its primary ATSC 1.0 simulcast host, due to ATSC 1.0 capacity constraints. Furthermore, due to ATSC 3.0 capacity and other constraints attendant with the multi-station and multi-market coordination needed for a successful ATSC 3.0 deployment across the country, it is not feasible for Licensee to simulcast KMYS(TV)’s multicast streams in an ATSC 3.0 format without unduly minimizing, if not largely eliminating, the benefits to the public and the participating stations of transitioning to ATSC 3.0. Absent an extension of STA authorizing KMYS(TV) to air its multicast streams using the facilities of KABB(TV), all over-the-air viewers would lose access to an ATSC 1.0 signal of KMYS(TV)’s multicast streams. Although Licensee has agreed to indemnify Sinclair from and against all liabilities or claims resulting from or arising out of the programming and advertising broadcast on Licensee’s program streams using the facilities of KABB(TV), Licensee is requesting extension of the STA to make clear that Licensee will remain responsible for the *TBD* and *Stadium* streams’ compliance with the Communications Act and the Commission’s rules and regulations.

As such, Licensee respectfully requests an extension of the STA. Grant of this STA extension would serve the public interest because it would advance the Commission’s ATSC 3.0 policy goals while preserving KMYS(TV)’s ability to air each of its programming streams in ATSC 1.0 format to ensure that most of KMYS(TV)’s viewers can continue to receive the programming currently available to them. It will also make clear that Licensee is an authorized user of a portion of KABB(TV)’s channel and is the party responsible for ensuring compliance with the Communications Act and the Commission’s rules and regulations with regard to its multicast streams.