

Next Generation TV – Request for Legal STA
Philadelphia Television Station WPSG, Inc.
WPSG(TV) Philadelphia, Pennsylvania
Facility ID 12499

Philadelphia Television Station WPSG, Inc., licensee of WPSG(TV), Philadelphia, PA (Facility ID 12499) (Licensee), respectfully requests Special Temporary Authority (STA) in connection with the transition of WPSG's signal to the ATSC 3.0 (Next Gen) broadcast transmission standard that is scheduled for August 10, 2023.

As shown in its simultaneously filed Form 2100 application, Licensee proposes to commence ATSC 3.0 operations on the current facilities of WPSG and to simulcast the primary stream of WPSG in ATSC 1.0 format on KYW-TV Philadelphia PA (Facility ID 25453), RF Channel 30, licensed to CBS Broadcasting Inc. Paramount Global ultimately owns and controls both WPSG and KYW-TV.

To minimize the loss of over-the-air programming to its current ATSC 1.0 viewers resulting from the station's transition to ATSC 3.0, Licensee proposes to broadcast WPSG's four non-primary multicast channels (collectively, the "WPSG Multicast Channels") on the stations referenced below pursuant to signed hosting agreements:

- RF Channel 33.2 Charge! to WTXF-TV Philadelphia, PA (Facility ID 51568), RF Channel 31, Fox Television Stations, LLC
- RF Channel 33.3 Comet to WTXF-TV Philadelphia, PA (Facility ID 51568), RF Channel 31, Fox Television Stations, LLC
- RF Channel 33.4 TBD to WPVI-TV Philadelphia, PA (Facility ID 8616), RF Channel 6, WPVI Television (Philadelphia), LLC
- RF Channel 33.5 Circle to WPVI-TV Philadelphia, PA (Facility ID 8616), RF Channel 6, WPVI Television (Philadelphia), LLC.

By submitting the instant STA request, Licensee confirms that it will be treated for purposes of enforcement and application of the Commission's rules as if WPSG were airing the

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WPSG Multicast Channels on its own facilities. Although Licensee has agreed to indemnify the licensees of WTXF-TV and WPVI-TV from and against all liabilities or claims resulting from or arising out of the programming and advertising broadcast on the WPSG Multicast Channels using the facilities of WTXF-TV or WPVI-TV, Licensee is requesting the instant authorization to further clarify that it will remain responsible for the channels' compliance with the Communications Act and the Commission's rules and regulations.

Although some Children's Television Programming is aired on the WPSG Multicast Channels, Licensee does not rely on the WPSG Multicast Channels for purposes of compliance with the Commission's Children's Television Programming requirements. Rather, Licensee complies with its obligation to air core programming through programming aired on the primary stream of WPSG. As such, neither WPSG's compliance with the Commission's Children's Television Programming requirements nor viewers' access to the station's required core programming will be affected by minor deviations in coverage (as shown in the engineering exhibit included with the application) resulting from the relocation of the signals of the WPSG Multicast Channels to the facilities of WTXF-TV and WPVI-TV as described herein.

These ATSC 1.0 non-primary multicast channel hosting arrangements will serve the public interest by enabling WPSG to continue providing its multicast channels in the Philadelphia market. Because of ATSC 1.0 capacity constraints, it is not feasible to simulcast the WPSG Multicast Channels on KYW-TV, the station's primary ATSC 1.0 simulcast host. Furthermore, due to ATSC 3.0 capacity and other constraints associated with the multi-station and multi-market coordination needed for a successful nationwide deployment, it is not feasible to simulcast the WPSG Multicast Channels in a Next Gen format without unduly minimizing, if not largely eliminating, the benefits to the public and the participating stations of transitioning to ATSC 3.0. Simulcasting these channels in ATSC 3.0 would reduce capacity available to Next Gen stations for offering consumers the improved services that ATSC 3.0 enables. In addition, significant additional engineering work and more equipment would be required to simulcast the WPSG Multicast Channels in both ATSC 3.0 and ATSC 1.0 formats. Obtaining, installing and

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testing that equipment would, at minimum, significantly delay rollout of ATSC 3.0 in the Philadelphia market.

To alleviate any potential viewer confusion associated with the relocation of the WPSG Multicast Channels, Licensee will air notices to over-the-air viewers of WPSG that it intends to discontinue ATSC 1.0 operations and begin broadcasting in the Next Gen TV standard on WPSG beginning August 10, 2023, and instruct all over-the-air viewers to tune to Channel 57 (the PSIP “virtual” channel for WPSG) in order to continue receiving the programming on WPSG and the Multicast Channels in the ATSC 1.0 standard.

While Licensee has provided the requisite notice to MVPDs about the relocation of the WPSG’s primary ATSC 1.0 stream, no coordination with MVPDs concerning the relocation of the WPSG Multicast Channels is necessary because no MVPDs currently carry these channels.

In sum, grant of this STA request will serve the public interest, as it will advance the Commission’s ATSC 3.0 policy goals while preserving Licensee’s ability to air each of its programming streams in the ATSC 1.0 format to ensure that nearly all current over-the-air viewers can continue to receive the programming currently available to them. Grant also will make clear that WPSG is an authorized user of a portion of the respective channels for WTXF-TV and WPVI-TV and is the party responsible for ensuring compliance with the Communications Act and the Commission’s rules and regulations.