

REQUEST FOR RENEWAL OF SPECIAL TEMPORARY AUTHORITY (MULTICAST HOSTS)

Gray Television Licensee, LLC (“Gray”), licensee of digital Class A television station WZBJ-CD, Lynchburg, Virginia (FID 168095) (“Station”), hereby amends its request for renewal of its special temporary authority (“STA”) to broadcast the Station’s multicast streams using the ATSC 1.0 standard, with no ATSC 3.0 simulcast. (See File No. 0000198725, 0000211797)

As approved in its Modification to License (Next Gen), granted September 13, 2022 (File No. 0000198690), the Station operates using the ATSC 3.0 standard. The Station’s primary programming stream is simulcast in ATSC 1.0 on WSET(TV), Lynchburg, Virginia (FID 73988). Because of ATSC 1.0 capacity constraints, the Station is not able to air all of its multicast streams on the same channel as its primary ATSC 1.0 simulcast signal.

In addition to its primary programming stream, the Station now broadcasts two multicast streams: COZI TV and Catchy. WZBJ-CD previously reported that it was broadcasting DABL programming on 43.3, this was incorrect. WZBJ-CD does not air DABL programming, that programming airs on its sister station WZBJ-TV. WZBJ-CD has aired Catchy (fka Decades) programming on 43.3 since June 2022.

In order to avoid the loss of the Station’s over-the-air non-primary multicast streams to ATSC 1.0 viewers, Gray has agreements with the ATSC 1.0 Hosting Stations to broadcast those streams using those station’s ATSC 1.0 facilities. As part of this same arrangement, Gray provides the ATSC 1.0 Hosting Stations with capacity as ATSC 3.0 guest stations on the Station’s ATSC 3.0 facility.

The Station’s multicast streams will air in ATSC 1.0 as follows:

Stream	Host Station
43.2 COZI TV	WWCW
43.3 Catchy (fka Decades)	WWCW

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 the Station to simulcast an ATSC 3.0 version 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 hosting arrangements with the ATSC 1.0 Hosting Stations have allowed Gray to continue offering these multicast streams in the Roanoke, VA market. Absent the arrangement with these stations, all over-the-air viewers would lose access to the Station’s multicast streams. To avoid viewer confusion, each of the Station’s current multicast channels will retain its existing PSIP major/minor channel numbers.

As shown in the composite coverage maps attached, 100 percent of the viewers that currently receive the Station’s multicast streams over-the-air from the Station’s ATSC 1.0 current facility will retain access to this programming from WWCW.

Additionally, the arrangements will preserve access to the Station's multicast streams for viewers who are receiving them via MVPDs. Gray provided the requisite notice to MVPDs regarding relocation of the Station's primary ATSC 1.0 stream and its non-primary multicast streams. Gray 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. The Station also aired public service announcements to inform viewers of this transition and of the need for viewers to rescan their televisions after the transition date in order to maintain over-the-air access to the Station's program streams in the current format.

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." 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."

Consistent with the FCC's proposal in the Second FNPRM, Gray's continued use of multiple ATSC 1.0 hosts will allow it to maintain existing service to viewers without burdening any party. Gray acknowledges that the use of multiple ATSC 1.0 hosts does not create any new carriage rights for its multicast streams. Gray seeks the Commission's continued 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 (2) that the Station, as the originator of each multicast stream at issue, is "responsible for regulatory compliance regarding the multicast stream being aired on a host station."

Gray understands that grant of this STA will make clear that Gray is the sole party responsible for ensuring compliance with all statutory and regulatory requirements with regards to the Station's non-primary multicast streams, including the Commission's rules regarding political broadcasting, children's programming, equal employment opportunities, captioning, public inspection file, indecency, sponsorship identification, station identification, contests, the CALM Act, and the Emergency Alert System. Gray will indemnify the licensee 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.

The Station complies with its children's programming obligations by scheduling three hours per week of core programming on its simulcast primary programming stream, and thus does not rely on its multicast streams for compliance with the Commission's television programming requirements.

Grant of this STA request will serve the public interest as it will advance the Commission's ATSC 3.0 policy goals, facilitate the deployment of ATSC 3.0 in light of the evolving nature of NextGen deployment, and promote the continued over-the-air transmission of the Station's nonprimary multicast streams in the ATSC 1.0 standard.

Gray Television Licensee, LLC
WZBJ-CD, Lynchburg, VA (FID 168095)
Legal STA (ATSC 1.0 Multicast) Amendment

