

# **ATSC 1.0 Multicast Host**

## **Exhibit**

### **KCOP-TV**

**December 6, 2023**

Fox Television Stations, LLC (“FTS”), licensee of KCOP-TV, Los Angeles, California (Facility ID 33742) (“Station”), hereby requests modification of its license<sup>1</sup> to air the Station’s non-primary multicast streams using the ATSC 1.0 standards on KTTV,<sup>2</sup> Los Angeles, California (Facility ID 22208), KCBS-TV<sup>3</sup>, Los Angeles, California (Facility ID 9628) and KNBC<sup>4</sup>, Los Angeles, California (Facility ID 47906). The current Special Temporary Authority (“STA”) for the multicast streams expires on December 15, 2023 (See File No. 0000215810).

FTS confirms and clarifies that:

- (1) The broadcast ownership rules do not apply to the extent this arrangement would otherwise be in potential violation of those rules; and
- (2) The Station is the licensee originating the non-primary multicast streams and considered the responsible party for compliance with obligations under the Communications Act of 1934, as amended, and the Commission rules and regulations in the same matter as an ATSC 1.0 primary simulcast stream is treated under the Commission’s ATSC 3.0 rules and regulations.

FTS currently operates the Station’s facility using the ATSC 3.0 standard (See File No. 0000196958) and, as required under the Commission’s ATSC 3.0 rules, simulcasts the Station’s primary programming stream in the ATSC 1.0 standard as a guest on KTLA, Los Angeles, California (Facility ID 35670), licensed to Tribune Media Company, whose ultimate parent is Nexstar Media, Inc. The Station hosts KTLA’s simulcast ATSC 3.0 primary stream.

In addition to its primary programming stream, the Station broadcast three multicast streams: BUZZR, Movies! and Heroes & Icons. In order to avoid the loss of the Station’s over-the-air non-primary multicast streams to its ATSC 1.0 viewers, KCBS-TV, KNBC and KTTV are the host stations.

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<sup>1</sup> FTS makes this request pursuant to the rules established in the Third Next Gen TV Report and Order, FCC 23-53 (rel. June 23, 2023); see also Media Bureau Announces that All Next Gen TV “Multicast Licensing” Rules are Now in Effect and Next Gen TV License Applications for Multicast Streams Will Now Be Accepted, Public Notice, MB DA 23-1086 (rel. Nov. 16, 2023).

<sup>2</sup> KTTV is also owned by Fox Television Stations, LLC and is a FOX network station.

<sup>3</sup> CBS Broadcasting, Inc. is the licensee of KCBS-TV.

<sup>4</sup> NBC Telemundo License LLC is the licensee of KNBC.

KCOP-TV's 1.0 multicast streams are broadcast on the following stations as describe below:

<b>Multicast Stream</b>	<b>Resolution</b>	<b>Multicast Host Station</b>	<b>Facility ID</b>	<b>RF Channel</b>	<b>Licensee/ Affiliate</b>	<b>Virtual Channel Position</b>
BUZZR	480i	KCBS-TV	9628	31	CBS /CBS	13.2
Movies!	480i	KNBC	47906	36	NBC Telemundo /NBC	13.3
Heroes & Icons	480i	KTTV	22208	11	FTS/FOX	13.4

Due to ATSC 1.0 capacity constraints, the Station is not able to air it's nonprimary multicast streams on the same host station (KCOP-TV) as its primary ATSC 1.0 programming stream. 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 the Station's ATSC 3.0 facility to simulcast the Station's non-primary multicast streams in the ATSC 3.0 standard without unduly minimizing, if not largely eliminating, the benefits to the public and the participating stations transitioning to ATSC 3.0. The Station's ATSC 3.0 facility is hosting five NextGen TV stations – the Station, KTTV, KCBS, KNBC and KTLA. Simulcasting the Station's non-primary multicast streams in ATSC 3.0 would reduce capacity available for the NextGen TV stations to offer consumers the improved services that ATSC 3.0 enables. The types of services and improvements that would be precluded would be enhanced video featuring High Dynamic Range, Wide Color Gamut and High Frame Rate, immersive and multiple audio channels using Dolby AC-4, Advanced Emergency Alerting and Information functions as part of a broadcast receiver application, and non-real time interactive data delivery. Each of these require a portion of the ATSC 3.0 capacity that would be unavailable were the Station's ATSC 3.0 facility to simulcast the Station's non-primary multicast streams in ATSC 3.0. Even setting aside these impediments, significant additional engineering work and more equipment would be required to simulcast the Station's non-primary multicast streams using ATSC 3.0 and ATSC 1.0 standards. Obtaining, installing, and testing that equipment would delay and distract from the testing and deployment of improved services that ATSC 3.0 enables.

The ATSC 1.0 non-primary multicast hosting arrangements with KCOP-TV enables FTS to continue providing the stream in the Los Angeles market. The facilities of the Station and KTTV both operate on VHF channels (13 and 11, respectively) and are located on the same tower at approximately the same elevation (KTTV 1782.9 m RCAMSL, KCOP-TV 1785.0 m) and both have nearly identical directional antenna patterns. As shown in the composite coverage map attached below (Figure 1), the two stations cover essentially the same area. The area within the KCOP-TV service contour is slightly larger than that of KTTV; therefore, due to the larger area and other small differences the predicted service population of KTTV inside the KCOP contour is slightly larger (100.5%) than that of the KCOP licensed facility (Figure 2).

The facilities of the Station and KCBS-TV are located near each other (1.11 km separation) and have similar coverage areas, see composite coverage map below (Figure 3). The slight differences in the

site locations and differing facility parameters as well as the propagation differences between VHF (KCOP-TV) and UHF (KCBS-TV) results in differences in service prediction over the same area. In this case, the predicted service population provided by the KCBS-TV facility inside the KCOP noise limited contour is 4.69% less than that provided by KCOP-TV, resulting in a population loss of 822,323 (Figure 4).

The facilities of the Station and KNBC are also located near each other (0.14 km separation) and have similar coverage areas, see composite coverage map below (Figure 5). The slight differences in the site locations and differing facility parameters as well as the propagation differences between VHF (KCOP-TV) and UHF (KNBC) results in differences in service prediction over the same area. In this case, the predicted service population provided by the KNBC facility inside the KCOP noise limited contour is 7.28% less than that of provided by KCOP-TV, resulting in a population loss of 1,275,359 (Figure 6).

Thus, the vast majority of viewers that currently receive the Station's non-primary ATSC 1.0 multicast streams will retain access to those streams. The Station certifies that it is seeking multicast hosting for streams it was broadcasting on its own 1.0 facility prior to its transition to ATSC 3.0.

Absent this arrangement, and without the grant of the instant licensing request, FTS may not be able to continue to provide the Station's non-primary multicast stream over-the-air, which would result in a complete loss of service to all of the over-the-air viewers of these streams.

FTS has already provided notice to the relevant MVPDs, as it reconfigured the Station's ATSC 1.0 non-primary multicast streams in the summer 2022, when it provided the requisite notices regarding KTTV's reversion to ATSC 1.0 operations and the relocation of KCOP-TV's ATSC 1.0 primary programming stream.<sup>5</sup> FTS will continue to coordinate with potentially affected MVPDs as applicable to ensure they continue to receive a good quality signal of the non-primary multicast stream over-the-air or via alternative delivery methods.

FTS does not expect there to be any adverse impact on MVPD viewers.

The Station has aired the requisite consumer notices regarding the Station's 2022 transition to the ATSC 3.0 standard (as well as KTTV's reversion to ATSC 1.0 operations) and the need for over-the-air viewers to rescan their television sets in order to continue to receive the Station's ATSC 1.0 programming streams. In order to alleviate any viewer confusion, the PSIP (virtual) channels for each of the Station's program streams remain unchanged and are identified as being associated with the Station.

FTS understands that the Station is the licensee originating the non-primary multicast stream and considered the responsible party for compliance with any obligations under the Communications Act of 1934, as amended, and the Commission rules and regulations, consistent with the arrangements between the FTS Stations.

FTS understands that grant of the instant request will make clear that FTS is the sole party

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<sup>5</sup> The MVPD notifications were sent on July 11, 2022. MVPD notifications as to the 2023 multicast reconfiguration was sent on May 25, 2023.

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, public inspection file, indecency, sponsorship identification, station identification, contests, the CALM Act, and the Emergency Alert System. With respect to children's programming, the Station schedules one hour per week of regularly scheduled children's core programming and at least 52 hours per year of nonregularly scheduled core programming on its primary programming stream, and thus intends to rely on its non-primary multicast streams for its second hour per week of regularly scheduled core programming in order to comply with the Commission's television programming requirements.<sup>6</sup>

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Grant of this licensing 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 non-primary multicast stream in the ATSC 1.0 standard.

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<sup>6</sup> See 47 CFR §73.671(d). In its 2022 Children's Television Programming Report (File Number 0000207236), the Station elected to report under Category A, Option 2. The Station has elected the same category for the 2023 calendar year. The Station certifies that KTTV and KCBS-TV are host stations that serve at least 95 percent of the predicted population served by the Station's 1.0 signal as required by 47 CFR § 73.3801(i)(3).



