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September 21, 2015

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**BY HAND DELIVERY**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: Request for Waiver of 47 CFR 72.682(d)  
WZAW-LD (FID 183262) Wausau, Wisconsin

Ms. Dortch:

On behalf of Gray Television Licensee, LLC ("Gray"), the permittee of WZAW-LD, a digital low power television station, we file this request for waiver of Section 73.682(d) of the Rules pertaining to virtual channel assignments under ATSC A/65C" ATSC Program and System Information Protocol for Terrestrial Broadcast and Cable, Revision C with Amendment No. 1 dated May 9, 2006" (PSIP Standard").

WZAW-LD has an outstanding construction permit for Channel 33, but currently the station operates on Channel 31 pursuant to Special Temporary Authority. Gray respectfully requests authority for WZAW-LD to utilize Channel 6 as its virtual channel number for PSIP purposes for the reasons set forth below. As shown on the contour map attached as Exhibit A, the contour for WZAW-LD will not overlap with any other full power, Class A or LPTV television station with the same virtual channel number.<sup>1</sup>

As a new digital LPTV station, WZAW-LD's major channel number is its original digital channel assignment – Channel 33.<sup>2</sup> The Commission in the Second Periodic Review states, "[to] the extent broadcasters have a unique situation that is not

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<sup>1</sup> As a low power television station, WZAW-LD does not have "must-carry" rights and cannot demand carriage on local MVPDs on Channel 6. Therefore, grant of this waiver request will not affect the legal rights of any third party currently retransmitted by any MVPD on Channel 6.

<sup>2</sup> Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, Report and Order, FCC 04-192, 19 FCC Rcd 18279, n.359 (2004) ("Second Periodic Review").



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provided for in PSIP, the Commission may grant exceptions on a case-by-case basis”<sup>3</sup>

WZAW-LD offers a “unique situation” that justifies a waiver of the PSIP Standard. Recently, Gray began simulcasting WZAW-LD on the .3 multicast channel of full power station WSAW-TV. And WSAW-TV’s contour overlaps with a new low power station that is assigned to Channel 33.<sup>4</sup> Grant of this waiver request will prevent any possible viewer confusion between WZAW-LD (as simulcast on WSAW-TV) and the new low power station once it commences operations. To avoid this “virtual” interference, WZAW-LD requests to use Channel 6 as its virtual channel number for PSIP purposes because as a new programmer to the Wausau market, a lower channel PSIP will ensure that over-the-air viewers locate and receive its signal during a re-scan.

Gray acknowledges that WZAW-LD’s use of Channel 6 as its virtual channel number is secondary to a full power or new low power television station that may have a legitimate claim to use Channel 6 as its virtual channel number in the future.

For the reasons detailed above, Gray respectfully requests a waiver of the PSIP Standard to allow WZAW-LD to utilize Channel 6 as its virtual channel number.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Joan Stewart", written over a light blue circular stamp.

Joan Stewart

Enclosure

cc: Hossein Hashemzadeh, Deputy Chief, Video Division, Media Bureau  
Adrienne Denysyk, Video Division, Media Bureau

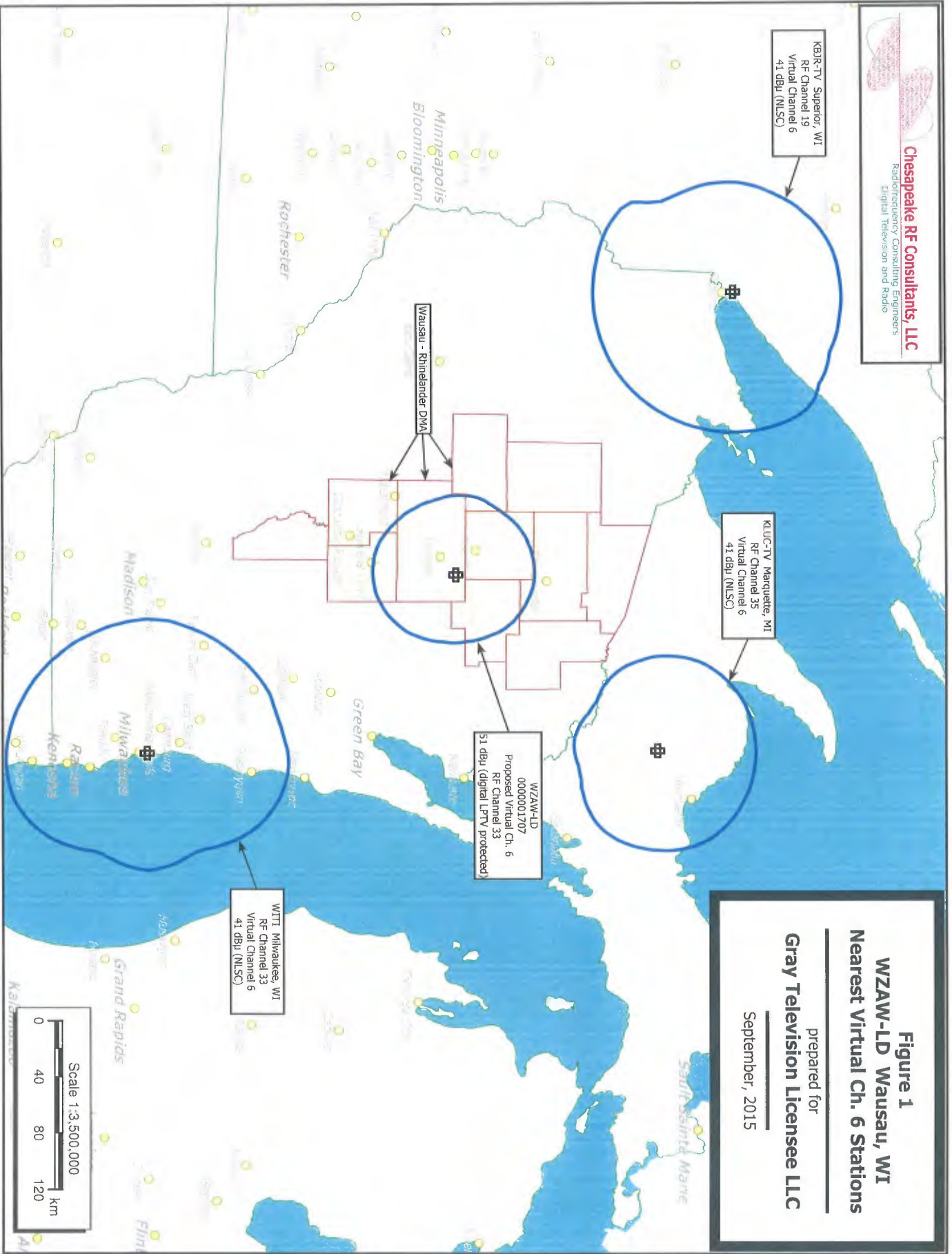
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<sup>3</sup> Id. at ¶ 153

<sup>4</sup> See Channel 33 contour map attached as Exhibit B.

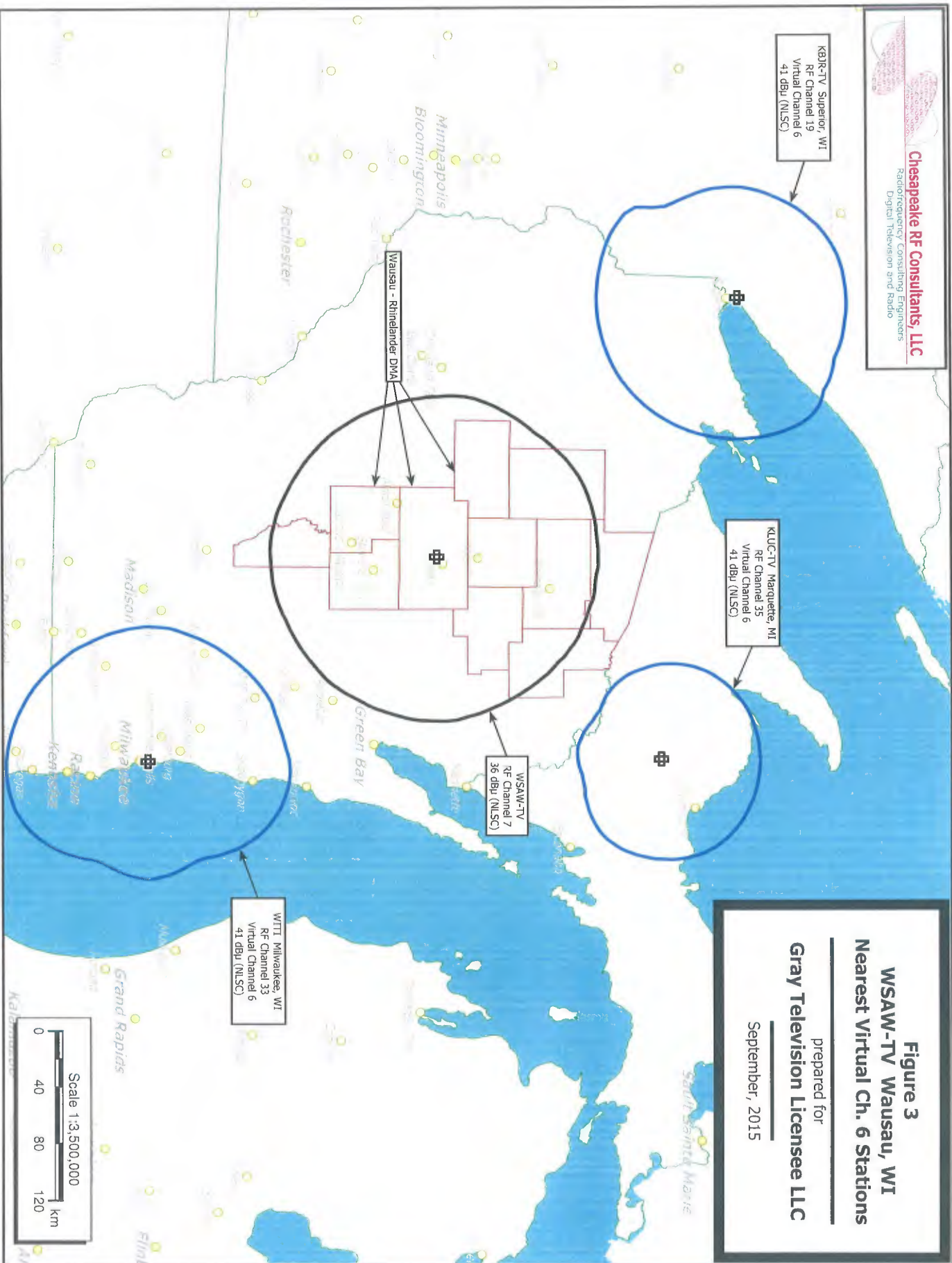
**Exhibit A**

**Virtual Channel 6 Contour Map**



**Figure 1**  
**WZAW-LD Wausau, WI**  
**Nearest Virtual Ch. 6 Stations**  
 prepared for  
**Gray Television Licensee LLC**  
 September, 2015

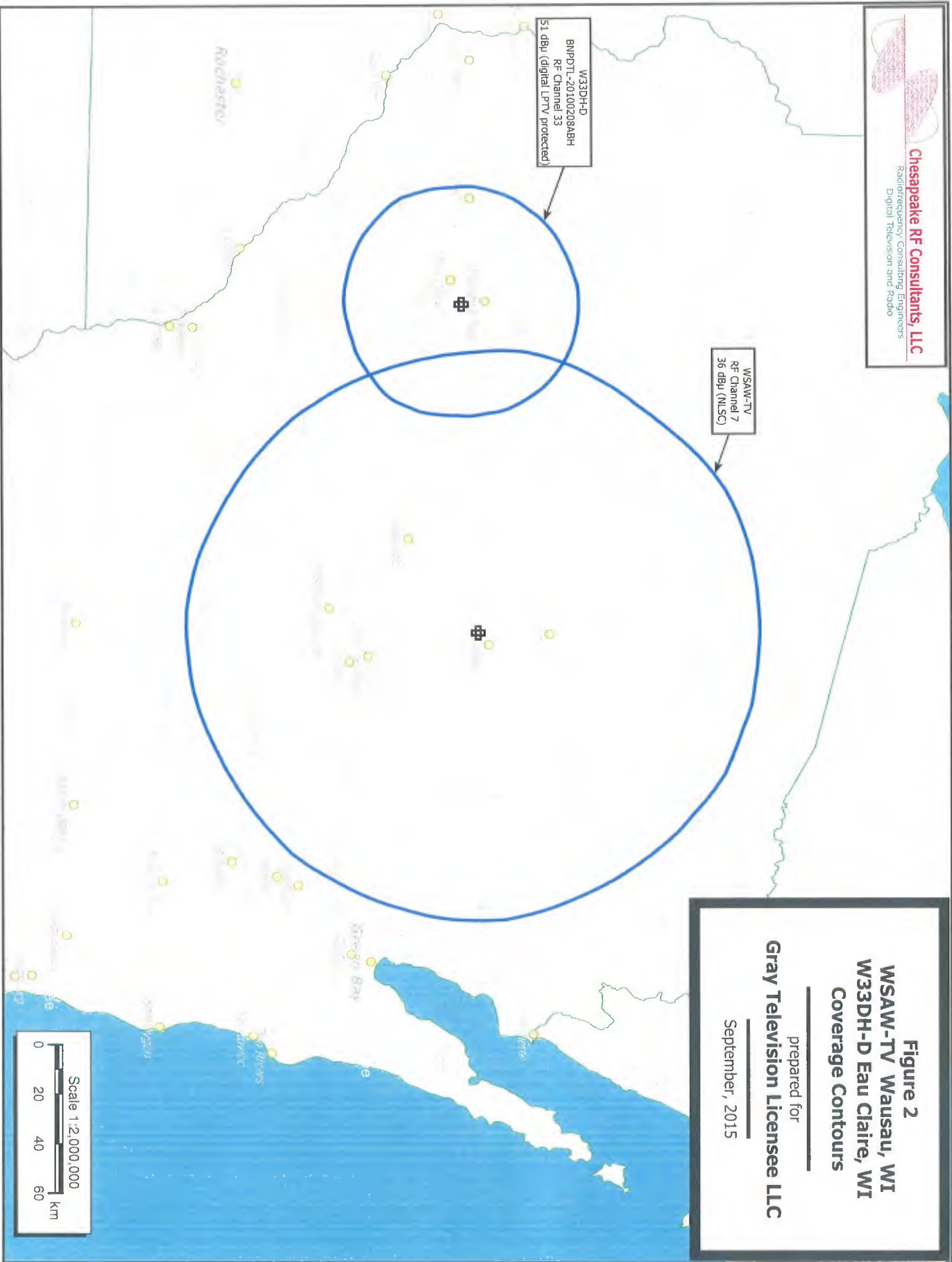




**Figure 3**  
**WSAW-TV Wausau, WI**  
**Nearest Virtual Ch. 6 Stations**  
prepared for  
**Gray Television Licensee LLC**  
September, 2015

**Exhibit B**

**Virtual Channel 33 Contour Map**



**Figure 2**  
**WSAW-TV Wausau, WI**  
**W3BDH-D Eau Claire, WI**  
**Coverage Contours**  
prepared for  
**Gray Television Licensee LLC**  
September, 2015