

EXTRAORDINARY CIRCUMSTANCES

This application was submitted in 2012, and granted an STA consistent with the operating parameters of its application, for purposes of receiving construction reimbursement funds from the National Telecommunications and Information Administration, U.S. Department of Commerce. The application could not be granted because it requires Mexican concurrence, under the unfounded assumption by the Commission that LPTV stations and TV Translators need the same mileage separations from Mexico as do Full Service TV Stations.

Unless and until Mexican concurrence is granted, or the rules are changed to reflect the real-world effect of the facility, a construction permit cannot be granted. Meanwhile, the station has provided important and continuous lifeline digital TV service to an underserved rural area that otherwise would be unable to obtain it. The public interest is served by permitting it to continue.

The duration of the needed STA grant is unknowable. Mexico has failed to act for four years and we have no direct contact with the Mexican government.