

REQUEST FOR A WAIVER OF SECTIONS 73.3700(b)(1)(i), (b)(4)(ii) and (b)(5)(i)
SECOND REQUEST FOR EXTENSION OF TIME

Minority Television Project, Inc. (“MTP”), licensee of full power noncommercial television station KMTP-TV, Channel 33, San Francisco, California, requests a waiver of Sections 73.3700(b)(1)(i), (b)(4)(ii) and (b)(5)(i) of the Commission’s Rules, 47 CFR § 73.7300(b)(1)(i), (b)(4)(ii) and (b)(5)(i), to permit MTP additional time to enter into a Channel Sharing Agreement (“CSA”) and file an application for a construction permit to move to the transmitting location of the Sharer station. In support of its request, MTP submits the following:

MTP was a successful go-off-air bidder in the Commission’s Reverse Incentive Auction. In its application to participate in the Reverse Auction, MTP indicated that it would seek to enter into a CSA if successful in the auction. Since completion of the auction, MTP has been seeking a CSA partner or other arrangement to continue its broadcast operations. Initially, MTP bid to purchase the license of San Mateo Community College for KCSM-TV, Channel 27, San Mateo, California. Unfortunately, MTP was outbid.

While waiting for the outcome of the bidding for KCSM-TV, MTP was in discussions with potential channel sharing partners. After MTP was unsuccessful in its bid to purchase the license for KCSM-TV, MTP focused exclusively upon finding a channel sharing partner.

MTP has now identified a sharing partner, KCNZ-CD, San Francisco, CA, licensed to Poquito Mas Communications, LLC. The parties have entered into a CSA letter of intent and are now preparing a definitive CSA.

Upon execution of the definitive CSA, MTP will need to move its equipment (satellite reception and master control equipment) from Mt. Sutro to San Bruno mountain, from which KCNZ-CD transmits. The equipment move will also require MTP to negotiate a lease with the San Bruno tower owner, American Tower.

MTP, therefore, requests additional time to complete the definitive CSA, negotiate the new tower lease at San Bruno, and file its construction permit application. MTP requests a waiver of Sections 73.3700(b)(1)(i), (b)(4)(ii) and (b)(5)(i), for 90 days to complete that process. A grant of the requested waiver will serve the public interest by allowing MTP to continue to provide its unique programming to the minority communities of the San Francisco service area.