

Supporting Statement
Request for Experimental Authorization
KFPH-CD, Phoenix, AZ, Facility ID 2739
KTVW-DT, Phoenix, AZ, Facility ID 35705

Unimas Partnership of Phoenix (“Licensee”), licensee of Class A television station KFPH-CD, Phoenix, AZ (Facility ID 2739) and KTVW License Partnership, G.P, licensee of KTVW-DT (Facility ID 2739) pursuant to 47 C.F.R. §§ 5.201, 5.601 and 5.602 (as applicable), respectfully requests that the Commission grant Experimental Authorizations to allow the Stations to commence ATSC 3.0 operations at the KFPH-CD’s current site beginning March 31, 2018 until such time as the necessary license applications are available for filing.¹ Experimental Authorizations are required because the Commission has not finalized the forms required for authorization for stations to commence ATSC 3.0 operations.² As demonstrated below, there is good cause in these circumstances to grant the Experimental Authorizations to permit the KFPH-CD to commence ATSC 3.0 operations on March 31, 2018 as the market’s “lighthouse” station for next-generation television, and concurrently authorize KTVW-DT to “host” KFPH-CD’s ATSC 1.0 signal.

KFPH-CD desires to become the first voluntary “lighthouse” station in the Phoenix, AZ television market. The station will be participating with other stations in the Phoenix Designated Market Area (“DMA”) in the implementation of ATSC 3.0. Phoenix was chosen as a model “test bed” market because it is Phase 1 of the post-Incentive Auction “repack.” Additionally, the UniMás programming carried on the KFPH-CD’s primary programming stream currently is being simulcast by two other stations in the market.

ATSC 3.0 operation in Phoenix will allow stations and their industry partners to (1) test core television service as well as new business models; (2) develop a common service framework to facilitate nationwide deployment of ATSC 3.0 service, including best practices and mechanisms for optimizing ATSC 3.0 for consumers, broadcasters, multichannel video programming distributors (“MVPDs”), the consumer electronics industry, and network providers; (3) test consumer devices; and (4) provide an opportunity for real-time consumer input on the ATSC 3.0 consumer experience, including through surveys and focus groups.

¹ See *In the Matter of Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard*, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 9930 (rel. Nov. 20, 2017) (“hereinafter “Report and Order”). The majority of the rules authorizing ATSC 3.0 service became effective March 7, 2018.

² It is our understanding based on informal conversations with the FCC staff that it may take several months for the Office of Management and Budget to approve the forms, once they have been submitted, and that the applications in the LMS system may not be available until the end of the year.

The first participants in the test include the following ten stations:

1. KASW (Nexstar)
2. KFPH-CD (Unimas) (Lighthouse Station)
3. KNPX (TEGNA)
4. KNXV (Scripps)
5. KPHO-TV (Meredith)
6. KSAZ-TV (Fox)
7. KTAZ (NBC)
8. KTVK (Meredith)
9. KTVW (Univision)
10. KUTP (Fox)

KFPH-CD will transmit its signal and the guest signals of other Phoenix DMA broadcast stations over-the-air in the ATSC 3.0 standard. The station understands that each of these guest stations' licensees will file for Experimental Authorization, if required. Additionally, the Stations request operations under "licensed simulcast approach" as defined in the Report and Order.³

The Stations will configure each Experimental Authorization to the technical requirements for both the 1.0 and 3.0 streams, as set forth in the Report and Order. KFPH-CD proposes to partner with its sister television station KTVW-DT. KTVW-DT will host and simulcast the primary video programming stream of the Station in ATSC 1.0 format so that viewers without the ability receive an ATSC 3.0 signal will continue to receive the low power station's primary service. Additionally, the UniMás programming will continue to be simulcast on station KFPH-DT, in Flagstaff, Arizona. As set forth in the Commission's Report and Order, the KFPH-CD's 1.0, ATSC simulcast signal will be substantially similar as that of its ATSC 3.0 signal. .

As detailed in the Engineering Statement attached to this application, neither Station is proposing to make any changes to its transmitter location, antenna height, antenna pattern or effective radiated power. The proposed coverage contour for the KFPH-CD's ATSC 3.0 signal will be the same as its current ATSC 1.0 contour. Moreover, KTVW-DT encompasses the current ATSC 1.0 and proposed ATSC 3.0 coverage contours of the KFPH-CD, thereby satisfying the coverage overlap, DMA, and community of license requirements set forth in the Report and Order.⁴ The Stations are collocated at the same transmission site and, if the

³ Report and Order at ¶¶ 50-52. Operation under the licensed simulcast approach will minimize the number of contractual amendments and waivers that would be required in the Phoenix market under the Commission's current regulations. Additionally, a licensed simulcast approach makes clear that the originating station and not the host station is responsible for all regulatory compliance, including each station maintaining its own public inspection file, and gives the FCC clear enforcement authority over the originating station. *See also* 47 C.F.R. § 73.6029.

⁴ *Id.* at ¶ 28. In fact, there will be a population *gain*. *See* Engineering Statement.

Experimental Authorizations are granted, one hundred percent of the KFPH-CD's current coverage area will be able to receive the relocated ATSC 1.0 signal.⁵

In preparation for the March 31, 2018 launch, on February 8, 2018 Unimas sent formal notifications to the three affected MVPDs - DISH Network, DIRECTV, and Cox. The Stations are actively coordinating with the MVPDs in advance of the launch (the Stations have been informally coordinating since December). KFPH-CD will continue to deliver a good quality signal to the local receive facilities of each of the affected MVPDs. For the convenience of viewers as well as MVPDs, the station will continue to use the same call sign and virtual channel number 35.1. Additionally, the KFPH-CD commenced on-air viewer notifications on Thursday, March 1, 2018.

For the reasons set forth herein, Stations request that the Commission promptly authorize ATSC 3.0 operations at KFPH-CD and authorize KTVW-DT to host the ATSC 1.0 signal of KFPH-CD. Experimental Authorizations will serve the public interest by helping to advance the technical capabilities of over-the-air television, while preserving viewers' access to the ATSC 1.0 signal.

⁵ *Id.* at ¶ 30.