

Special Temporary Authority Statement
Project Overview & Transition Plan
CBS LITV LLC
WLNY-TV Riverhead, New York
Facility ID 73206

CBS LITV LLC, licensee of WLNY-TV, Riverhead New York (Facility ID 73206) (“Station”), seeks special temporary authority (“STA”) to operate on channel 27. Pursuant to the *Closing and Channel Reassignment Public Notice*, Station has been assigned to Transition Phase 4 with a Phase Completion Date of August 2, 2019.¹ CBS LITV LLC seeks to operate Station on channel 27 as specified herein starting on June 15, 2018, with a brief testing period to commence immediately preceding said date. The Station would operate on channel 27 until the Phase Completion Date, at which time it will transition to channel 29 as scheduled.

The *Transition Scheduling Adoption Public Notice* permitted stations to propose “alternative transition solutions that could create efficiencies” if the request is “otherwise compliant with [FCC] rules and [has] little or no impact on the phase assignments or transition schedule.”² As outlined below, the instant request will facilitate a more effective and efficient implementation of the overall policy goals of the Incentive Auction. Therefore, because CBS LITV LLC proposes to adhere to the phase assignments and transition schedule, it is believed that the instant request qualifies for such favorable treatment.

¹ *Incentive Auction Closing and Channel Reassignment Public Notice: The Broadcast Television Incentive Auction Closes; Reverse Auction and Forward Auction Results Announced; Final Television Band Channel Assignments Announced; Post-Auction Deadlines Announced*, Public Notice, 32 FCC Red 2786 (WTB & MB 2017) (*Closing and Channel Reassignment Public Notice*).

² *Incentive Auction Task Force and Media Bureau Adopt A Post-Incentive Auction Transition Scheduling Plan*, MB Docket No. 16-306 and GN Docket No. 12-268, 32 FCC Rcd 890, 913 ¶ 51 (MB 2017) (*Transition Scheduling Adoption Public Notice*), citing *Incentive Auction Task Force and Media Bureau Seek Comment on Post-Incentive Auction Transition Scheduling Plan*, Public Notice, 31 FCC Rcd 10802 (MB 2016) (*Transition Scheduling Proposal Public Notice*).

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As demonstrated herein, good cause exists for an STA because it will serve the public interest by facilitating an orderly and efficient transition to more swiftly deliver new wireless broadband services to the public while minimizing impacts on broadcast television viewers and post-auction transition resources. Specifically, if Station is permitted to discontinue operations on channel 47 ahead of schedule, T-Mobile a winning 600 MHz wireless licensee, will be able to deploy new competitive wireless broadband service to people of Brooklyn, Queens, Riverhead, and Eastern Long Island, a full 14 months earlier than scheduled.

Interference. In order to stay within the 2% interference threshold established as part of the transition process, the Station seeks special temporary authority to operate on channel 27 now that first-adjacent channel 28 has been vacated by WNBC(TV). The Station will install an antenna and transmission system capable of operating upon both channel 27 and its final post-repack channel 29 with minimal disruption. The attached engineering exhibit documents the engineering supporting this approach.

Impacts to Transition Plan. This early out-of-phase move will in fact permit better utilization of resources by engaging vendors and service providers early in the process rather than later in the transition when they would potentially be overloaded with other repack projects. The tower crew is already on-site to reinforce the tower, foundations, and anchors. As shown in the attached letter, by proceeding to install channel 27/29 equipment this spring, cost savings will be achieved because the crew will need to demobilize and then remobilize at a later date. Equipment storage costs while waiting for remobilization will be also eliminated. Additionally,

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early completion of the project reduces potential conflicts for this vendor to tend to other broadcasters as the transition proceeds.

Impact to Viewers. CBS LITV LLC believes any disruption to viewers will be minimized. The Station recognizes that its request for an early transition may increase the total number of times a viewer may need to rescan equipment in order to receive all reassigned stations in the New York market to four scans. Although this number exceeds the presumptive cap established by the Transition PN by two rescans,⁴ the STA can be justified as the Station will engage in a comprehensive consumer awareness campaign. In addition to the required public service announcements and crawls to notify viewers of the proposed transition and provide detailed instructions on the rescanning process, the Station will conduct robust and diverse outreach through newscasts, social media, and newscasts to ensure that viewers will be well-informed of the transition. Additionally, T-Mobile has committed to undertake an additional consumer outreach to ensure consumers are informed about the transition as described in the attached letter.

By proposing an early rescan for only one station, CBS LITV LLC will be assisting the public such that they will be well-versed in rescanning procedures prior to the 2019 repack dates of other New York City market stations. Since it has been nearly a decade since most DTV stations have changed channel, this test case may be instructive for other stations and markets.

⁴ See Transition Public Notice at ¶¶ 20 and 21. T-Mobile worked with WWOR to also transition early increasing the number of rescans in the New York DMA from 2 to 3.

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In sum, grant of this STA will facilitate a more effective and efficient implementation of the overall policy goals of the Incentive Auction and post-auction transition, and thus is in the public interest.