

## KUKL-TV – Request for Waiver

The Board of Regents of the Montana University System, licensee of noncommercial educational TV station KUKL-TV, Kalispell, Montana (“KUKL”), hereby requests a partial waiver of the FCC’s consumer education requirements for transitioning stations. See 47 C.F.R. § 73.3700(c)(3).

KUKL is a rural noncommercial educational station and part of the public television state network for the large, but sparsely populated, State of Montana.<sup>1</sup> According to the FCC’s Coverage Baseline for Post Auction Table of Allotments, the station’s terrain-limited signal reaches just over 113,000 people. Kalispell is also served by KUKL’s NPR-affiliated sister radio station, KUKL(FM), Kalispell, Montana.

The FCC assigned KUKL to Phase 1 of the repack. The station arranged its tower work so as to cease operations on its pre-repack channel (RF Channel 46) and commence operation on its new channel (RF Channel 15) on September 17, 2018.<sup>2</sup> Due to the press of work from other repack-related issues and other issues relating to its extensive TV translator network serving rural communities across the State of Montana and an oversight of this component of its overall repack efforts for KUKL, KUKL did not commence the broadcast of public service announcements regarding its channel change until September 12, 2018.<sup>3</sup> Once it became aware of the oversight, KUKL worked quickly to alert its viewers of the impending change, the need to rescan and the rescan actions they can take to continue to receive the station’s over-the-air signal.

Specifically, KUKL has implemented the following consumer education plan:

- Compliance with PSA requirement in FCC rules:
  - KUKL-TV’s primary (main) channel is broadcasting :15 second spots and :30 second spots of public service announcements each day.
    - The :15 second spot is scheduled to broadcast 64 times between September 13-September 19 (960 seconds total spot time.)
    - The :30 second spot is schedule to broadcast 124 times between September 13-September 19 (3720 second total spot time.)
  - This approach will result in a far greater aggregate amount of public service announcements available to viewers than is required under the FCC’s rules, with the announcements broadcasting within the week prior to the actual transition date.
- Efforts beyond those required by FCC rules:
  - KUKL-TV is broadcasting 15 second spots and :30 second spots of public service announcements each day on its PBS Kids multicast channel.
    - The :15 second spot is scheduled to broadcast 64 times between September 13-September 19 (960 seconds total spot time.)

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<sup>1</sup> Montana is the fourth largest state in the United States, but the 3<sup>rd</sup> least densely populated.

<sup>2</sup> This September 19<sup>th</sup> date was selected because there is one key person for such tower-related work in all of Montana and September 19<sup>th</sup> is the date that person was scheduled to be in Kalispell, Montana.

<sup>3</sup> Montana PBS delivers programming via one of the largest state translator networks in Montana, with over 60 translators, only a few of which are licensed to Montana PBS. Statewide, Montana PBS is available in over 400 communities across the State of Montana, via OTA, cable, DBS and large dish Ku-band satellite reception.

- The :30 second spot is schedule to broadcast 124 times between September 13-September 19.
- KUKL(FM) has broadcast, and will continue to broadcast, :15 second radio PSAs regarding the television repack in the Kalispell market, up to 4 times a day, run of schedule (360 seconds of total radio spot time).
- To the extent possible, KUKL will send e-mail notifications regarding its channel change to its Kalispell-area viewers immediately prior to and immediately after its transition.
- KUKL will work with its local government and community partners to identify additional outlets through which it could alert viewers to the transition.

Thus, KUKL respectfully requests that the FCC determine that the consumer education approach described herein substantially satisfies the station's obligations under 47 C.F.R. § 73.3700(c)(3). KUKL plans to provide additional details regarding each of the outreach efforts outlined above in the certification of compliance it places in its online public file pursuant to 47 C.F.R. § 73.3700(c)(6).