

Phase Adjustment Waiver for WGGB-TV  
Springfield-Holyoke, MA, Facility ID 25682

EXHIBIT SUPPORTING WAIVER  
OF PHASE ASSIGNMENT, TESTING PERIOD, AND PHASE COMPLETION DATE

Meredith Corporation (“Meredith”), licensee of WGGB-TV, seeks waiver of the post-Incentive Auction Transition Phase assignment, and corresponding testing dates and construction completion deadlines, for WGGB-TV, Springfield-Holyoke, MA, (Facility ID No. 25682) (WGGB or the “Station”). Pursuant to the *Closing and Reassignment Public Notice*, the Station has been assigned to Transition Phase 8, for which the Phase Completion Date is 3/13/2020.<sup>1</sup> Meredith seeks to transition the Station to Transition Phase 4, with expected transition completion on before 8/02/2019.

The FCC may grant a waiver for good cause shown.<sup>2</sup> A waiver is appropriate where the particular facts make strict compliance inconsistent with the public interest.<sup>3</sup> In considering a waiver, the FCC may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.<sup>4</sup> Such a waiver is appropriate if circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.<sup>5</sup>

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<sup>1</sup> See *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*).

<sup>2</sup> 47 C.F.R. § 1.3.

<sup>3</sup> *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

<sup>4</sup> *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1027 (1972); *Northeast Cellular*, 897 F.2d at 1166.

<sup>5</sup> *Northeast Cellular*, 897 F.2d at 1166.

As demonstrated herein, good cause exists for waiver of the assigned Transition Phase and its attendant testing and completion dates. Grant of the waiver 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 the Station is permitted to complete its transition early, T-Mobile, a winning 600 MHz wireless licensee, will be able to deploy new competitive wireless broadband service to people of the Springfield-Holyoke market up to 7 months earlier than currently scheduled.

Interference. The Station has undertaken an engineering analysis (see attached interference analysis from du Treil, Lundin, & Rackley, Inc.) to determine that no new interference will be created or received by the proposed early transition of the Station beyond the temporary permissible 2% of interference allowed by the FCC. The Station is currently licensed on Channel 40. It is moving to Channel 26 and would be considered a “downstream” dependency for WHPX (Facility ID-51980) (moving from channel 26 to 28) and WTEN (Facility ID-74422) (moving from channel 26 to 24). Both of these stations are moving in Phase 4, and WGGB is requesting permission to move to Phase 4 as well. WGGB will follow the Commission’s rules for coordination and has obtained coordination letters from both of these stations to avoid any interference conflicts between the three facilities (see attached letters). The early transition of WGGB will not create any new pairwise interference cases or new linked station sets.

Impacts to Transition Plan. The proposed transition will permit better utilization of resources by engaging vendors and service providers early in the process rather than have them

potentially overloaded further in the overall transition. Here, Meredith has consulted with its equipment manufacturers, vendors, site lessor, engineers, and tower crews to ensure an orderly early transition. As the attached letters from Comark and Dielectric explain, the Station's equipment vendors assert that it will not be a problem to deliver the needed equipment to transition WGGB in Phase 4. Further, as the attached letter from the Station's tower company explains, allowing WGGB to repack in Phase 4 will result in a more efficient use of scarce tower company resources because the tower company will be able to more efficiently deploy its tower crews.

Impact to Viewers. Grant of the instant waiver request will minimize disruption to viewers. Indeed, the Station's request for an early transition will **decrease** the total number of times a viewer may need to rescan equipment in order to receive all reassigned stations in the Springfield-Holyoke market. Under the original FCC transition plan there are currently two scheduled rescans for WGGB's DMA. Grant of the proposed early transition will change the number of rescans to **one (1)**. The one rescan is within the cap (two rescans) established by the Transition Public Notice, therefore, grant of the instant waiver is appropriate. Meredith pledges to act to further mitigate any viewer disruption by increasing outreach education above and beyond the required public service announcements and crawls including utilizing the Station's digital and social media outreach to notify the Station's audience of the proposed transition and provide detailed instructions on the rescanning process. This will ensure that viewers will be well informed of the transition.

WGGB will complete the transition using its final, permanent, transmission facilities as provided in the construction permit granted on 6/19/17. WGGB does not anticipate needing to utilize auxiliary facilities past the Phase 4 transition deadline if a waiver is granted.

MVPD Notification. Finally, Meredith Corporation will take the necessary actions to ensure all impacted MVPDs are notified of the impending channel change at least 90 days prior to actual change.

The *Transition Scheduling Adoption Public Notice* permitted stations to propose “alternative transition solutions that could create efficiencies,” and held that a request to modify a station’s transition deadline — including by moving to an earlier phase — would be viewed favorably if the request is “otherwise compliant with [FCC] rules and [has] little or no impact on the phase assignments or transition schedule.”<sup>6</sup> As demonstrated above, Meredith’s instant request qualifies for such favorable treatment.

In sum, grant of this waiver 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.

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<sup>6</sup> *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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