

Application for Displacement of Station W26DC-D to Channel 31

Request for Waiver of 47 C.F.R. § 73.3517 -- Contingent Application Rule

Waiver of 47 CFR §73.3517 -- the contingent application rule -- is hereby requested with respect to full-service and Class A television stations currently operating on Channel 31 that are due to transition to new channels in connection with the TV spectrum repack. Station W26DC-D (the "Station") is subject to displacement due to the repack of TV spectrum. Specifically, full-service Station WFUT-DT, Newark, NJ (Facility ID 60555) has been authorized to operate on Channel 26 with facilities that will cause the WFUT-DT coverage area to encompass the entire coverage area of co-channel W26DC-D. Thus, displacement to Channel 31 is necessary to allow the Station to continue to serve viewers after the repack. To comply with Section 73.3700(g)(2) of the Commission's Rules, the Applicant agrees that it will not begin transmitting on Channel 31 prior to the discontinuation of operations on Channel 31 by Station WTIC, Hartford, CT (Facility ID 147) and Station WPXN-TV, New York, NY (Facility ID 73356).