



Federal Communications Commission
Washington, D.C. 20554

February 14, 2019

Christopher G. Wood
Unimas Dallas LLC
5999 Center Drive
Los Angeles, CA 90045

RE: ATSC 3.0 Dallas Market
Trial, Request for Experimental
Authorization
KSTR-DT Irving, Texas
Facility ID No. 60534
LMS File No. 0000063555

Dear Licensees:

This letter is in reference to the above captioned application for experimental authority filed by Unimas Dallas LLC, licensee of full power television station KSTR-DT, Irving, Texas, (KSTR-DT). Unimas requests experimental authority to deploy ATSC 3.0 or "Next Generation Television" in Dallas, Texas (Dallas Market Trial). For the reasons below, we grant Unimas' request for experimental authority under the Federal Communications Commission's (Commission) experimental rules, including Sections 5.201, 5.601 and 5.602 of the Commission's rules (Rules).¹

Background. Unimas requests permission to convert KSTR-DT's broadcast facility to ATSC 3.0 operations and, in the future, serve as an ATSC 3.0 host for other guest ATSC 3.0 signals. As part of its conversion to ATSC 3.0 operations, KSTR-DT's primary stream will be aired as an ATSC 1.0 simulcast signal over full power television station KUVN-DT, Garland, Texas (KUVN-DT), which is licensed to KUVN License Partnership, L.P.² KSTR-DT currently operates on RF channel 48 and as a result of the incentive auction was repacked to channel 34. KUVN-DT operates on RF channel 23 and was repacked to channel 33. Both stations were assigned to post-incentive auction transition phase 3, which has a testing period start date of April 13, 2019, and phase completion date of June 21, 2019. Unimas proposes to commence ATSC 3.0 operations on KSTR-DT's current channel and ATSC 1.0 simulcast service on KUVN-DT's channel on March 1, 2019. The stated objectives of the Dallas Market Trial are as follows:

1. Test ATSC 3.0 "core" television service, as well as new business models;
2. Develop a common 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); and
3. Deploy and test an ATSC 3.0 single frequency network (SFN) transmission system.

¹ 47 CFR §§ 5.201 (broadcast experimental licenses); 5.601 (product development trial); and 5.602 (market trial).

² At this time, KUVN-DT does not request authority to operate an ATSC 3.0 guest signal over KSTR-DT's facility. To the extent it wishes to do so it must independently receive such authority from the Commission. Other non-primary programming streams currently aired by KSTR will be aired in ATSC 1.0 format on either KUVN-DT or KTXD, Greenville, Texas, which is licensed to KTXD License Company, LLC (wholly owned by Cunningham Broadcasting Corporation).

On November 16, 2017, the Commission adopted rules authorizing the licensed transmission of the Next Gen TV broadcasting standard.³ While certain rules became effective on February 2, 2018, the rules governing the one-step streamlined licensing process did not become effective until July 17, 2018.⁴ The Media Bureau (Bureau) is in the process of making changes to its Licensing and Management System (LMS) to accommodate Next Gen TV license applications, and the Bureau is not yet accepting applications for Next Gen TV licenses.⁵ Thus, it is appropriate for a station to continue to seek experimental authority until the ATSC 3.0 application filing process is available.

As set forth in its application, Unimas commits to transmit an ATSC 3.0 signal over KSTR-DT and air an ATSC 1.0 simulcast signal over KUVN-DT in a manner that is consistent with the ATSC 3.0 rules adopted by the Commission.⁶ In particular, Unimas commits to simulcast the primary video programming stream of KSTR-DT's ATSC 3.0 signal in an ATSC 1.0 format and programming aired on its ATSC 1.0 simulcast stream will be "substantially similar."⁷ Unimas also states that its request complies with the Commission's ATSC 3.0 and ATSC 1.0 simulcast coverage requirements.⁸ Both KSTR-DT and KUVN-CD are located in the Dallas, Texas Designated Market Area (Dallas DMA). Unimas includes a contour overlap and viewer loss map with its application showing that KSTR-DT's ATSC 1.0 simulcast signal will continue to provide service to its community of license and maintain service to 99.9% of KSTR-DT's predicted population within its current ATSC 1.0 noise limited contour.⁹ In order to implement ATSC 3.0 and ATSC 1.0 simulcast operations neither KSTR-DT nor KUVN-DT will be required to make any changes to its facility or operational parameters that would necessitate the filing of a construction permit. Unimas states that on November 16, 2018, it sent notifications to MVPDs in the Dallas DMA informing them of its plan to convert KSTR-DT to ATSC 3.0. While it has not provided 120 days advanced notice to MVPDs as required under our rules,¹⁰ Unimas states that it has been actively coordinating with the impacted MVPDs and will "continue providing MVPDs that deliver KSTR-DT a good quality signal . . . and will take reasonable steps to ensure MVPD subscribers do not lose access to KSTR-DT's ATSC 1.0 signal." As required by 73.3801(g) of the Rules, Unimas commits to commencing on-air viewer notifications to viewers regarding KSTR-DT's conversion to ATSC 3.0 at least 30 days prior to transitioning to ATSC 3.0.¹¹

³ *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*, GN Docket No. 16-142, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 9930 (2017) (*ATSC 3.0 Report and Order*).

⁴ *See Next Gen TV Report and Order*, Final Rules, 83 Fed. Reg. 4998 (Feb. 2, 2018) and 83 Fed. Reg. 33144 (July 17, 2018).

⁵ *See Next Gen TV Rules Receive OMB Approval Media Bureau Will Announce in Future Notice When Ready to Accept Next Gen TV License Applications*, GN Docket No. 16-142, DA 18-736 (MB July 17, 2018).

⁶ *See* 47 CFR § 73.3801.

⁷ *See* 47 CFR § 73.3801(b)(1)-(2).

⁸ *See* 47 CFR § 73.3801(c).

⁹ *See* 47 CFR § 73.3801(f)(6)(ii). Both stations co-located at the same transmission site. KSTR-DT's current contour covers 7,220,674 persons. Its ATSC 1.0 simulcast signal will cover 7,288,829 persons. This represents a population loss of 7,462 persons.

¹⁰ *See* 47 CFR § 73.3801(h) (requiring 120 days advanced notice to stations that have been repacked as a result of the broadcast television incentive auction).

¹¹ *See* 47 CFR § 73.3801(g).

Discussion. We find that the public interest will be served by facilitating the deployment of ATSC 3.0 in Dallas, Texas, by helping to advance the technical capabilities of Next Generation Television and further evaluate the services and benefits that ATSC 3.0 can offer to viewers. As discussed above, Unimas will comply with the Commission's local simulcasting and coverage requirements, as well as provide required notice to viewers. Although Unimas will not provide the 120-day notice to MVPDs as required under Section 73.3801(h) of the Rules,¹² Unimas commits to continue to deliver a good quality ATSC 1.0 signal to each affected MVPD. Below, we condition this authorization on this commitment and we may immediately terminate this authorization if such commitment is not upheld. This condition will help ensure that MVPD subscribers' access to ATSC 1.0 transmissions is preserved while deployment of ATSC 3.0 is commenced under this market trial. Although KSTR-DT and KUVN-DT are separately licensed, both have the same parent company. Consistent with prior action on ATSC 3.0 experimental authorizations, we will not require commonly owned parties to enter into a written simulcast agreement at this time.¹³

Accordingly, the request for experimental authority filed by Unimas, the licensee of KSTR-DT, Irving, Texas, **IS GRANTED** pursuant to 47 CFR §§ 5.201, 5.601, and 5.602,¹⁴ and is subject to the following conditions:

1. This experimental authorization expires one year from the date of this letter, subject to the terms and conditions set forth herein. There is no expectation of renewal.
2. This authorization shall solely apply to KSTR-DT's pre-auction facility, which is currently licensed to operate on channel 48, until 11:59pm on June 21, 2019. After that date it shall solely apply to KSTR-DT's post-auction facility, which will operate on channel 34, for the remainder of the authorization term. This authorization does not permit the Station to operate on its pre-auction channel after 11:59pm local time, on June 21, 2019. KSTR-DT is required to comply with all rules and requirements applicable to repacked stations.
3. KSTR-DT is authorized transmit a signal using the Next Generation TV transmission standard, as defined under 47 CFR § 73.682, and must provide at least one free over-the-air video programming stream over its ATSC 3.0 signal. Such signal must serve KSTR-DT's noise-limited service contour.
4. Both KSTR-DT and KUVN-DT must continue to provide uninterrupted ATSC 1.0 service. KUVN-DT must provide ATSC 1.0 service pursuant to its licensed parameters. KSTR-DT must provide ATSC 1.0 service by simulcasting the primary video programming stream of its ATSC 3.0 channel in an ATSC 1.0 format over the facility and channel licensed to KUVN-DT for the duration of this authorization. The programming aired on KSTR-DT's ATSC 1.0 simulcast signal must be "substantially similar" to that aired on its ATSC 3.0 primary video programming stream, as defined by 47 CFR § 73.6029(b).
5. Unimas must obtain Commission approval prior to moving KSTR-DT's ATSC 1.0 simulcast signal to another facility.

¹² 47 CFR § 73.3801(h).

¹³ See Letter from Barbara A. Kreisman to Unimas Partnership of Phoenix, licensee of KFPD-CD, Phoenix, AZ (granted Mar. 29, 2018) available at LMS File No. 0000048791. See also 47 CFR 73.3801(e).

¹⁴ This action is being taken by the Video Division pursuant to the authority delegated to the Media Bureau under 47 CFR § 0.61.

6. Unimas must comply with the consumer education requirements set forth in 47 CFR § 73.3801(g) prior to terminating ATSC 1.0 service over KSTR-DT's current channel, or following Commission approval, switching to a different ATSC 1.0 simulcast host.
7. Unimas must notify the Bureau at least 30 days before ceasing ATSC 3.0 and resuming ATSC 1.0 transmissions, if ATSC 3.0 service is to be discontinued on KSTR-DT prior to the authorization's expiration date.
8. Any other broadcast television station that would like to transmit an ATSC 3.0 signal as a guest station over KSTR-DT's facility must file its own application for experimental authority. Any experimental authority granted to another station may be subject to the same terms and conditions, including expiration date, as those adopted herein.
9. Both KSTR-DT's ATSC 1.0 simulcast signal and its ATSC 3.0 signal must comply with all programming, technical, and operational obligations applicable to a full power broadcast television station. Unimas will be held liable for any violations of the Communications Act of 1934, as amended, or the Commission's rules related to the transmission of its ATSC 1.0 simulcast signal or ATSC 3.0 signal.
10. Grant of the instant experimental authorization does not indicate that KSTR-DT would be granted a license to transmit a signal pursuant to the ATSC 3.0 rules or operate a single frequency network under the Commission's DTS rules (47 CFR § 73.626). An evaluation of any technical changes to KSTR-DT's facility will occur upon the filing of the appropriate application.
11. Grant of the instant experimental authorization does not indicate that KSTR-DT would be granted a license to transmit a signal pursuant to the ATSC 3.0 rules. Such an evaluation will occur once the Next Gen TV licensing applications are available for filing with the Commission.
12. Unimas must take all steps necessary to ensure that MVPD subscribers' access to KSTR-DT's programming is not interrupted and KSTR-DT must continue to deliver a good quality ATSC 1.0 signal to each affected MVPD.
13. Any broadcaster equipment or end-user devices must receive (as applicable) the necessary Commission equipment authorizations prior to use.
14. This experimental authorization has been granted on a non-interference basis (*e.g.*, 47 CFR § 5.84) and may be immediately terminated if the operation causes harmful interference to any other licensed user (*e.g.*, licensed broadcast operations or licensed wireless microphones) or if Unimas fails to comply with the conditions of grant. The Bureau, without the consent of Unimas, may modify the terms of or terminate this authorization for any other reason upon at least 60-days written notice to Unimas.

Sincerely,



Barbara A. Kreisman
Chief, Video Division
Media Bureau

Cc (via electronic mail):
Ann Bobeck, Esq.