

**KTXD-TV, Greenville, TX (Fac. Id. No. 42359)
Greenville (KTXD-TV) Licensee, Inc.
Request for Waiver/Change of Phase Assignment**

Request for Waiver of Phase Assignment

Greenville (KTXD-TV) Licensee, Inc., the licensee of KTXD-TV, Greenville, Texas (Fac. Id. No. 42359), hereby respectfully files this request for a waiver of the post-Incentive Auction Transition Phase assignment and corresponding testing dates and construction completion deadlines for KTXD-TV. KTXD-TV was assigned to Transition Phase 3 pursuant to the Closing and Reassignment Public Notice.¹ KTXD-TV now requests re-assignment to Transition Phase 4 because construction of its post-transition facility has been delayed by circumstances outside of its control.

KTXD-TV is currently licensed to operate on channel 46. The station was reassigned to channel 23 in the *Closing and Channel Reassignment Public Notice* and assigned to transition Phase 3, which has a phase testing period start date of April 13, 2019, and a phase completion date of June 21, 2019. KTXD-TV shares a tower in Dallas county, Texas and is assigned to Transition Phase 3. The station has experienced unexpected delays, including a scheduling delay by the transmitter installation crew. The station's main electrical distribution panel, which was scheduled to arrive from Mexico, has been held up in customs and will not arrive on site until **June 20, 2019**. As a result, the station has been unable to complete the transmitter installation. The station therefore seeks a modest waiver of two weeks to complete the installation of the station's transmitter.

The station has experienced unexpected delays, including a scheduling delay by the transmitter installation crew and further construction delays because necessary wall penetration work discovered a metal plate inside of the block wall that had to be remedied. In addition, the transmission line needed additional repairs which were only discovered after the current transmission line was swept. Consequently, as a result of these circumstances beyond the licensee's control, the station has been unable to timely complete the transmitter installation. Despite the hope that the installation could be completed in a timely manner, the difficulties associated with installing the transmitter for KTXD-TV has prevented the station from completing construction by the Transition Phase 3 deadline of June 21, 2019. The station therefore seeks a modest waiver of two weeks to complete the installation of the station's antenna.

In the *Transition Scheduling Adoption Public Notice*,² the Commission anticipated that there would be circumstances where a station would need to seek a waiver of the phase

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*

construction deadline, including authority to continue operating on its current channel. The Commission indicated that it would consider these requests on a “case-by-case basis,” by evaluating the impact to viewers and the transition schedule.³ Briefly re-assigning KTXD-TV to a later transition phase will allow it to stay on the air until it can move to its post-transition channel and ensure its viewers are not left without important programming.

KTXD-TV is not part of a linked set and does not require coordination with any other station to complete its transition. Because KTXD-TV currently operates in the 600MHz band, a delay in its transition will not create a new linked station sets. KTXD-TV will notify T-Mobile USA, Inc. (“TMO”) about the circumstances and will keep TMO informed. The licensee submits that the instant request to modify the phase assignment of KTXD-TV to transition to its post-auction channel in Phase 4 satisfies the requirements for a waiver and is in the public interest. Accordingly, the grant of this request will serve the public interest by permitting KTXD-TV to continue serving viewers while the station completes its transition to its post-repack channel.

Scheduling Plan, MB Docket No. 16-306 and GN Docket No. 12-268, 32 FCC Rcd 890 (MB 2017) (*Transition Scheduling Adoption Public Notice*).

³ *Transition Scheduling Adoption Public Notice*, ¶ 49.