

Gray Television Licensee, LLC
K22HN-D (Fac ID 131081)
Request for Waiver of Section 312(g)

REQUEST FOR WAIVER OF SECTION 312(g)

Gray Television Licensee, LLC, (“Gray Television”) licensee of K22HN-D, Anchorage, Alaska (Fac ID 131081), hereby submits this Request for Waiver of 47 U.S.C. § 312(g). While the station was working diligently to complete construction of its recently authorized modification, it ran into difficulties that resulted in the station being off the air for slightly longer than 1 year.

Section 312(g) provides that “If a broadcasting station fails to transmit broadcast signals for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary, except that the Commission may extend or reinstate such station license if the holder of the station license prevails in an administrative or judicial appeal, the applicable law changes, or for any other reason to promote equity and fairness.” 47 U.S.C. § 312(g).

K22HN-D is a translator station for KTUU(TV), Anchorage, Alaska. The station was taken silent on June 20, 2018 while Gray secured authority to construct a modified facility. Upon grant, the station worked diligently to complete construction prior to its one-year deadline. However, it was not able to bring the station back on air until July 3, 2019 – one year from the grant of its silent authority.

The Commission has the discretion to waive this deadline “to promote equity and fairness,” which is the case here. The station missed the deadline by mere days despite their best efforts. Moreover, this station is serving the public interest as it is now providing five streams of programming on a “fill in” basis for viewers that otherwise struggled to receive the signal of the full power station.

Gray Television respectfully requests that the Commission use its authority to grant a waiver of Section 312(g) to allow K22HN-D to continue serving viewers in Anchorage, Alaska.