

Interim Facilities STA Application
WUTV(DT), Buffalo, NY
July 2019

WUTV Licensee, LLC (“Licensee”), licensee of Station WUTV(DT), Buffalo, NY (Facility ID No. 415) (“WUTV”), hereby requests Special Temporary Authority to operate on interim facilities for a period of 180 days. Pursuant to its construction permit (FCC File No. 0000075316), WUTV was scheduled to transition at the end of Phase 4 to Channel 36. Since the grant of this construction permit, the Licensee filed a Petition for Rulemaking to amend the Post-Transition Table of DTV Allotments to implement a channel swap with Station WNLO(DT), Buffalo, NY (Facility ID No. 71905), which is owned by Nexstar Broadcasting, Inc. (“Nexstar”). Pursuant to the channel swap, WUTV is switching from post-transition channel 36 to post-transition Channel 32.¹

The Licensee is in the process of constructing its post-transition facilities for WUTV on Channel 32. Due to delays in receipt of the main antenna and related tower crew scheduling issues, the Licensee is concurrently filing a separate Request for Extension of WUTV Construction Permit (LMS File No. 0000075316) to extend WUTV’s construction permit until construction can be completed on its final post-transition Channel 32 facilities.

In the interim, the Licensee has coordinated with Nexstar and plans to utilize Nexstar’s current Channel 32 WNLO transmission location and facilities to transition from its pre-auction Channel 14 to its post-transition Channel 32. The proposed facilities are located approximately one-half mile from WUTV’s current Channel 36 licensed facilities. Since the stations’ final construction permits were just granted on July 3, 2019, the parties were not able to place new equipment orders until recently. Pursuant to an agreement between the Licensee and Nexstar, Nexstar is responsible for constructing the final Channel 32 facilities (and the Licensee is responsible for purchasing and installing the equipment for Nexstar’s operations on Channel 36). Nexstar has asked its suppliers to expedite orders as quickly as possible. The Channel 32 transmitter is scheduled to ship on August 26, 2019 and the Channel 32 antenna is scheduled to ship on November 11, 2019. Nexstar has asked both vendors to do everything they can to expedite their delivery dates.

Additionally, the Table of Allotments has not yet been updated to reflect the channel swap between the Licensee and Nexstar. Accordingly, for the foregoing reasons, the Licensee respectfully requests Special Temporary Authority to operate on Channel 32 with interim facilities at WNLO’s channel 32 facility until such time as WUTV’s permanent facilities are constructed.

¹ See *In the Matter of Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments Station WNLO(TV), Buffalo, New York; Amendment of Section 73.622(i) Post Transition Table of DTV Allotments Station WUTV(TV), Buffalo, New York*, Report and Order, DA 19-553, MB Docket No. 19-118, RM-11838 (rel. June 12, 2019).