

EXPLANATION

Station WLLA(TV), Ch. 45, Kalamazoo, Michigan, was designated to change channel as part of the FCC spectrum repack in Phase 6. The Phase 6 deadline is October 18, 2019. As will be shown further below, Christian Faith Broadcast (“CFB”), licensee of WLLA (TV) has worked diligently to implement its post-repack Ch. 22 construction permit but due to matters beyond its control, it will be unable to meet the October 18th deadline. CFB acknowledges that this request is filed later than 90-days before the transition and, as such, respectfully requests a waiver of the filing deadline.

CFB has been advised that the new Gates Air transmitter for the Ch. 22 repack facility will not ship until October 4th. In addition, CFB has been advised by Jampro that the antenna designated for CFB’s repack facility will not be shipped until approximately the *third week of November* as Jampro must wait on its supplier for the custom full radomes needed for this specialize antenna.

In an effort to comply with the Phase 6 transition deadline (i.e., get off its pre-repack channel by the end of Phase 6) CFB filed an application for an interim antenna (which would then be used as an auxiliary antenna after the repack is completed). (LMS-0000080321). The FCC granted the application on August 19, 2019. The Jampro antenna designated in the interim/auxiliary application was selected because it is single frequency CH 22 auxiliary antenna- in other words, essentially, a stock antenna, the fabrication of which takes a significantly shorter time. CFB is advised that since the interim/auxiliary antenna is a side-mounted antenna fed with helix (not rigid) line, the installation should take around 7 to 8 working days. The 4" heliax needed for the project is a stock item and can be shipped in a timely manner. CFB believed that it could get the interim facility on the air by the October 18 Phase deadline but now, Jampro is quoting shipment of the interim/auxiliary antenna the *first week of October*. CFB and its engineers anticipate that – assuming that the transmitter and antenna function as they are supposed to and there are no part delays, installation issues, or weather/wind problems - it will take 16 days to install the transmitter and the interim/auxiliary facility. That would put implementation at best at *October 25* – beyond the Phase 6 transition deadline.

In the *Incentive Auction Task Force and Media Bureau Adopt Post-Incentive Auction Transition Scheduling Plan, Public Notice, 32 FCC Rcd 890 (MB 2017)* (“*Transition Scheduling Adoption Public Notice*”), the Commission acknowledged that there would be situations in which a station might require a change in its designated transition phase, and need for authority to continue to broadcast on its current channel. The Commission indicated that it would consider these requests on a case-by-case basis, considering the impact on other broadcasters, viewers and the transition schedule. While the request waiver to transition to Phase 7 would require an additional scan in the station’s DMA, in order to minimize any viewer confusion, CFB commits to make additional viewer notifications steps beyond the standard viewer and MVPD notification requirements required by the FCC, including additional crawls and other notifications during its local programs, including specific discussion on its daily show “CBM Today”.

The proposed change in the Station’s transition Phase would be in the public interest. The station does not have another station with which it could temporarily share so moving channel

temporarily is not an option. As discussed above, CFB filed for and obtained a construction permit for an interim/auxiliary antenna to enable it to get off its pre-auction channel in a timely manner but it has now learned that delivery date of the interim/auxiliary antenna will be late enough that even that will not make the transition deadline. Without the Phase waiver, the station would be forced to go off the air until delivery of the transmitter and interim/auxiliary antenna are delivered and construction is completed. Going off the air would be a significant financial hardship for this Church owned station and the disruption would result in a loss of service to its viewers.

With respect to the transition schedule, while WLLA is in a linked set, there is only one upstream linked station, WSBT-TV, South Bend Indiana and that station has indicated to CFB that it will transition by the Phase 6 transition deadline. Since the channel that the station currently operates, on Channel 45, is outside the post-repack TV band, there aren't any other stations which are dependent on WLLA's move to Channel 22 to make their move. (See the attached statement of CFB Consulting Engineer Roy Stype.) The Station's operation on a channel in the 600 MHz band establishes that a delay in its transition will not create a new linked station set nor increase pairwise interference greater than two percent during the transition period.^[1]

As such, remaining on its current channel would not delay the repack generally. A waiver to Phase 7 would give CFB until January 17, 2020. CFB hopes to be able to transition as early as possible and well in advance of the Phase 7 deadline. CFB requests the right to commence testing and transition to its interim facility as soon as the required viewer and MVPD notices have been made and its construction is completed.

CFB respectfully requests a phase waiver to Phase 7 to allow it to complete construction of its post-auction Ch. 22 facility.

^[1] See *Transition Scheduling Adoption Public Notice*, 32 FCC Rcd at 897, para. 16 (allowing temporary increased pairwise (station-to-station) interference of up to two percent during the transition period).

WLLA LINKED STATION ANALYSIS

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Christian Faith Broadcast, Inc.

Kalamazoo, MI

WLLA is presently licensed to operate on Channel 45 and is scheduled to move to Channel 22 as part of the incentive auction repack. WLLA is presently scheduled to transition to Channel 22 during Phase 6 of the repack, which has a transition deadline of October 18, 2019.

While WLLA is part of a set of 25 linked stations, the only one of these stations which directly impacts WLLA's repack is WSBT-TV - South Bend, Indiana, which has to vacate Channel 22 before WLLA can move there since WLLA's Channel 22 CP facilities are predicted to cause 13.79% interference (226,249 people) to WSBT-TV's presently licensed Channel 22 facilities. None of the other stations in this set of linked stations have any direct impact on WLLA, but would directly or indirectly impact the ability of WSBT-TV to move from Channel 22 to Channel 29. Because WLLA presently operates on Channel 45, which is outside the post-repack TV band, there aren't any other stations which are dependent on WLLA's move to Channel 22 to make their move.

Based on the above information, the grant of a phase waiver to permit WLLA to transition to Channel 22 in a later phase should have no adverse impact on the repack of any other Phase 6 stations.