



Federal Communications Commission
Washington, D.C. 20554

December 19, 2019

Multimedia Holdings Corporation
c/o Denise A. Branson,
Tegna Inc.
8350 Broad Street, Suite 2000
Tysons, VA 22102

NW Communications of Phoenix, Inc.
c/o Ann West Bobeck
Fox Corporation
400 N. Capitol Street, NW Suite 890
Washington, DC 20001

Scripps Broadcasting Holdings, LLC
c/o Dave Giles
312 Walnut Street
28th Floor
Cincinnati, OH 45202

Arizona Board of Regents for Arizona State University
c/o Ian MacSpadden
555 N. Central Avenue, Suite 500
Phoenix, AZ 85004

KPHO Broadcasting Corporation
c/o Joshua Pila
1716 Locust Street
Des Moines, IA 50309

Re: ATSC 3.0 Phoenix Market
Trial, Extension of
Experimental Authorization,
LMS File Nos. 0000087777;
0000087961; 0000088744;
0000088867; 0000090725; and
0000090722

Dear Licensees:

This letter is in reference to the above-captioned applications to extend experimental authority filed by (1) Multimedia Holdings Corporation, licensee of KPNX, Mesa, Arizona; (2) NW Communications of Phoenix, Inc., licensee of KSAZ-TV, Phoenix, Arizona; (3) Scripps Broadcasting Holdings, LLC, licensee of KNXV-TV, Phoenix, Arizona; (4) Arizona Board of Regents for Arizona State University, licensee of station KAET, Phoenix, Arizona; and (5) KPHO Broadcasting Corporation, licensee of KPHO-TV, Phoenix, AZ and KTVK, Phoenix, AZ (collectively the "Stations" and "Licensees").¹ The Stations seek experimental authority to transmit a Next Generation Television (Next

¹ 47 CFR §§ 5.601, and 5.602.

Gen TV or ATSC 3.0) signal over the channel licensed to KFPH-CD, Phoenix, Arizona (KFPH-CD).² For the reasons below, we grant the Licensees' requests for experimental authority pursuant to the experimental rules governing product development and market trials—Sections 5.601 and 5.602 of the Commission's rules (Rules), respectively.³

On March 29, 2018, the Video Division (Division) granted KFPH-CD, experimental authority to convert its station to ATSC 3.0 transmissions in order to enable the deployment of an ATSC 3.0 broadcast "test bed" in Phoenix, Arizona (Phoenix Market Trial).⁴ This authorization was subsequently extended and will now expire on April 2, 2020.⁵ The Licensees have all previously applied for and been granted experimental authority to participate in the Phoenix Market Trial and have their Stations air an ATSC 3.0 guest signal using KFPH-CD's ATSC 3.0 facility. The instant applications seek renewal of the Stations existing experimental authorizations.⁶

The Phoenix Market Trial includes 11 Stations, and multiple consumer electronics manufacturers and broadcast equipment vendors. As noted in the *KFPH-CD Renewal Authorization Letter* consumer applications that provide the enhanced experiences expected of ATSC 3.0 are still in development, as is the framework for applications that will allow for interactive features. This development requires additional testing in an actual, real-world broadcast environment. As permitted by the Licensees' experimental authorizations, the content being aired on KFPH-CD's ATSC 3.0 stream does not need to be "substantially similar," as would be required under a permanent ATSC 3.0 license, to the content aired by those station's ATSC 1.0 stream. Moreover, most of the content arrangements, given their temporary nature under an experimental authorization, have been done "informally" and not allowing the market trial to continue at this time could prove "disruptive" and "undermine the rollout of ATSC 3.0 in the marketplace."⁷

We find that the public interest will be served by permitting the Stations to continue their participation in the Phoenix Market Trial and air an ATSC 3.0 guest signal over KFPH-CD's facility. We agree that granting an extension of the existing experimental authority will help advance the technical

² KFPH-CD is licensed to Unimas Partnership of Phoenix and is licensed to operate on channel 35.

³ 47 CFR §§ 5.601 and 5.602.

⁴ The stated objectives of the Phoenix Market Trial are as follows: (1) Test ATSC 3.0 television service, as well as new business models; (2) Develop a framework to facilitate nationwide deployment of ATSC 3.0 service, including best practices; (3) Test consumer devices; and (4) Collect real-time consumer input through surveys and focus groups. Letter from Barbara A. Kreisman, Chief, Video Division to KPHO Broadcasting Corporation, et. al. (Oct. 3, 2018) (on file at LMS File No. 0000059185).

⁵ Letter from Barbara A. Kreisman, Chief, Video Division to Unimas Partnership of Phoenix (Oct. 2, 2019) (on file at LMS file No. 0000080914) (*KFPH-CD Renewal Authorization Letter*). Any station that intends to participate in the Phoenix Market Trial must file its own application for experimental authority in order to transmit an ATSC 3.0 signal as a guest station of KFPH-CD.

⁶ Letter from Barbara A. Kreisman, Chief, Video Division to NW Communications of Phoenix (Aug. 15, 2018) (on file at LMS file No. 0000055279); Letter from Barbara A. Kreisman, Chief, Video Division to KPHO Broadcasting Corporation, et. al (October 3, 2018) (on file at LMS file Nos. 0000059644, 0000059643, 0000059311, 0000059185, 0000058327). These licenses were renewed in May of this year. Letter from Barbara A. Kreisman, Chief, Video Division to KPHO Broadcasting Corporation, et al (May 14, 2019) (on file at LMS file Nos. 0000067921, 0000067922, 0000067923, 0000067924, 0000067925, 0000068799).

⁷ Unimas Renewal Letter. Quoting LMS 0000080914, Statement in Support of Request for Temporary Extension of Experimental Authorization for KFPH-CD ATSC 3.0 Operations, (filed Sep. 4, 2019).

capabilities of Next Gen TV, allow participants in the Phoenix Market Trial, and to establish the necessary agreements in order to apply for a Next Gen TV license and comply with the Commission's ATSC 3.0 rules. All but one of the Licensees state that they will not seek a further extension of the Experimental Authorization and, in granting this waiver, we rely on this representation. Furthermore, given the nature of this authorization as a market trial under our experimental rules, we continue to find that it is appropriate to permit the Stations authority to flexibly operate their ATSC 3.0 guest signal as they have been permitted to do.

Accordingly, the request for extension of experimental authority filed by the Licensees **ARE GRANTED** pursuant to 47 CFR §5.601 and 5.602,⁸ and subject to the following conditions:

1. This experimental authorization expires April 2, 2020,⁹ subject to the terms and conditions set forth herein. The Bureau expects that no further renewals will be necessary.¹⁰
2. The Licensees must continue to provide uninterrupted ATSC 1.0 service on their Stations' existing channels and authorized facilities. Operations of the Stations' individual ATSC 3.0 guest signals may in no way inhibit or diminish operation of their ATSC 1.0 service.
3. The Licensees must operate their individual ATSC 3.0 guest signals in a manner that is consistent with the licensed parameters for Station KFPH-CD, Phoenix, Arizona and the terms and conditions set forth in the *KFPH-CD Renewal Authorization Letter*. The Licensees are solely authorized to operate from KFPH-CD's facility and in accordance with technical parameters assigned to KFPH-CD.
4. The Licensees must notify the Bureau at least 30 days before ceasing ATSC 3.0 operation if any of the Stations no longer plan to participate in the Phoenix Market Trial prior to the experimental authorization's expiration date.
5. Grant of the instant experimental authorization does not represent that the Licensees will be granted a license to transmit a signal pursuant to the ATSC 3.0 rules. Such evaluation will occur once the Next Gen TV licensing applications are available for filing with the Commission.
6. Any broadcaster equipment or end-user devices must receive (as applicable) the necessary Commission equipment authorizations prior to use.
7. These experimental authorizations have 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 either the Stations or their ATSC 3.0 host station, KFPH-CD, fails to comply with the conditions of grant. The Bureau may also modify the terms of or terminate this authorization for any other reason upon at least 60-days written notice.

⁸ This action is being taken by the Video Division pursuant to the authority delegated to the Media Bureau under 47 CFR § 0.61.

⁹ We note that while some of the Licensees requested a six month extension, we are only approving the extension through the expiration date of KFPH-CD's current experimental authorization.

¹⁰ *Media Bureau Announces That It Will Begin Accepting Next Generation Television (ATSC 3.0) Licenses Applications in the Commission's Licensing and Management System on May 28, 2019*, GN Docket No. 16-142, Public Notice, 34 FCC Rcd 3684, 3687, para. 8 (2019).

8. As a NCE station, KAET is prohibited from broadcasting advertisements over its ATSC 3.0 guest signal. *See* 47 U.S.C. § 399b(b)(2). Any advertisements broadcast on KFPH-CD's ATSC 3.0 channel during the course of this experiment must be limited to those ATSC 3.0 streams aired by

Sincerely,

A handwritten signature in black ink, appearing to read 'B A K', with a long horizontal flourish extending to the right.

Barbara A. Kreisman
Chief, Video Division
Media Bureau

Cc (via electronic mail):
Michael Beder, Esq.
Matthes S. DelNero, Esq.
Kenneth C. Howard, Esq.
Melodie A. Virture, Esq.
Christina Burrow, Esq.