

Exhibit 1
Request for Waiver/Change of Phase Assignment from Phase 9 to Phase 10

Pursuant to the public notice providing guidance for stations in Phase 9 of the post-incentive transition issued on March 17, 2020 by the Media Bureau of the Federal Communications Commission (“Commission”), WTVD Television, LLC, licensee of WTVD(DT), Durham, North Carolina, Facility ID 8617 (“WTVD”), hereby respectfully requests a waiver of the Phase 9 deadline and reassignment to Phase 10.¹ As explained below, WTVD’s transition to its post-auction channel will be delayed due to circumstances related to the COVID-19 pandemic.

WTVD presently is assigned to transition to its post-auction channel in Phase 9 and has been working diligently to complete construction of its post-auction main facility on channel 9 by May 1, 2020. However, as has been acknowledged by the Media Bureau, the novel COVID-19 virus is interjecting unanticipated delays in the construction process.² For example, on March 13, WTVD received an email from Coast to Coast Tower Service, Inc. (“Tower Company”) stating that the Tower Company was recalling its tower crews and suspending field service for approximately two weeks.³ The Tower Company further observed that the “field service pause is going to impact our already strained repack schedule.” Given the uncertainty of when the Tower Crew will be available to complete the work required for WTVD’s transition, WTVD is requesting that the Media Bureau waive its Phase 9 completion deadline and reassign it to Phase 10. Grant of the instant request will not have a negative impact on the overall transition because WTVD’s transition in Phase 10, rather than Phase 9, will not create any new linked station sets and is consistent with the Commission’s decision to modify the post-auction transition schedule to address the COVID-19 outbreak.

Waiver of the Phase 9 construction completion deadline and reassignment to Phase 10 for WTVD is in the public interest because it will enable WTVD to stay on the air, on its current channel, at a time when access to news and information about the COVID-19 pandemic is critical. WTVD is particularly concerned that transitioning to a new channel in Phase 9, in the middle of the present public health crisis, would have a disparate impact on those of its over-the-air viewers, many of which reside in impoverished locations within WTVD’s service area, that may have difficulty receiving the station after it moves to its new channel (whether due to difficulties with the rescan process or other issues with reception).⁴ In addition, by delaying WTVD’s transition until Phase 10, WTVD can undertake efforts it deems necessary to protect the health of its employees and their families without undue concern as to the impact of these efforts on its ability to meet the May 1, 2020 Phase 9 construction deadline.

¹ See Guidance for Stations in Phase 9 of the Post-Incentive Auction Transition as a Result of the Novel Coronavirus (COVID-19) Pandemic, MB Docket No. 16-306, GN Docket No. 12-268, Public Notice (rel. March 17, 2020) (“COVID-19 PN”).

² See COVID-19 PN.

³ A copy of this email is attached to the instant application.

⁴ Approximately 18% of WTVD’s viewers rely solely on over-the-air service.