

Georgia Public Telecommunications Commission – Request for Waiver

WGTV, Athens, Georgia; WACS, Dawson, Georgia and WMUM-TV, Macomb, Georgia

Georgia Public Telecommunications Commission (“GPTC”), licensee of noncommercial educational TV stations WGTV, Athens, Georgia; WACS, Dawson, Georgia and WMUM-TV, Macomb, Georgia, requests a partial waiver of the FCC’s consumer education requirements for transitioning stations. *See* 47 C.F.R. § 73.3700(c)(3).

GPTC is an entity of the State of Georgia and the statewide public television licensee of nine (9) noncommercial educational television stations providing PBS and educational programming throughout the State of Georgia. GPTC had several of its stations assigned to new channels as part of the repacking process.¹ WMUM-TV was originally assigned to Phase 9 of the repack, but moved to Phase 10 of the repack due to COVID-related issues.² WGTV and WACS were originally assigned to Phase 10 of the repack pursuant to the Closing and Reassignment Public Notice.³ Phase 10 the repack ends on July 3, 2020.

Before the start of 2020, it appeared that all three stations were on track for a timely and orderly transition in their assigned phases of Phase 9 (WMUM-TV) and Phase 10 (WGTV and WACS). However, as the Media Bureau’s Public Notice guidance on March 17, 2020 acknowledged, the COVID-19 pandemic disrupted the repack supply chain and delayed the ability of broadcasters to meet their assigned phase deadlines.⁴ Thus, given the impact of the COVID-19 pandemic and given changes in the availability of tower crews (a scarce repack resource even before COVID-19), GPTC found that it needed to adjust its expectations for meeting its Phase 9 and Phase 10 deadlines.

WGTV’s repack plan called for, among other things, replacement of the station’s main and standby antennas, with the standby antenna being replaced first to avoid disruption in WGTV broadcast program service. WACS and WMUM-TV’s repack plans called for use of an interim antenna to maintain operations while the main antenna was being replaced. Each station’s tower also required some modifications due to repack.

Despite diligent efforts, GPTC has been unable to make arrangements to have the tower work (including the new repack antenna installations for the permanent repack facilities) completed by July 3rd. In fact, even finding available tower crews to install the WGTV standby and the WACS and WMUM-TV interim antennas during Phase 10 has been a challenge given that tower crews

¹ *Incentive Auction Closing and Channel Reassignment Public Notice: The Broadcast Television Incentive Auction Closes; Reverse Auction and Auction Results Announced; Final Television Band Channel Assignments Announced; Post-Auction Deadlines Announced*, Public Notice, 32 FCC Rcd 2786 (WTB & MB 2017).

² *Guidance for Stations in Phase 9 of the Post-Incentive Auction Transition as a Result of the Novel Coronavirus (COVID-19) Pandemic*, Public Notice, 35 FCC Rcd 2720 (IATF & MB 2020).

³ *See* footnote 2 above.

⁴ *See* footnote 3 above.

were a scarce repack resource (made even more scarce by COVID-19 and the moves of other repack stations from earlier phases to the last repack phase – Phase 10).

As a result of internal miscommunication regarding transition PSAs, WGTV, WACS, and WMUM-TV did not commence the broadcast of public service announcements regarding its channel change until June 30, 2020. Since then, the GPTC has worked quickly to alert its viewers of the impending change, the need to rescan and the rescan actions they can take to continue to receive the stations' over-the-air signals.

Specifically, GPTC has implemented the following consumer education plan:

- Compliance with PSA requirement in FCC rules:
 - WGTV, WACS, and WMUM-TV has broadcast an average of over 840 seconds of public service announcements and crawls per day regarding the transition. This is fourteen times the baseline requirement in the rules and this approach will result in an aggregate amount of public service announcements available to viewers greater than the aggregate required under the FCC's rules.
- Efforts beyond those required by FCC rules:
 - GPTC will send an e-mail notification regarding its channel change to its viewers and including a notice regarding the need to rescan to viewers that subscribe to its weekly email newsletter.
 - GPTC has posted notice of the stations' transition on its website.
 - GPTC plans repack-related posts on each of its social media platforms.

Thus, GPTC respectfully requests that the FCC determine that the consumer education approach described herein satisfies the stations' obligations under 47 C.F.R. § 73.3700(c)(3).