W25DW-D, Arbury Hills, IL (Fac. Id. No. 61692)
HC2 LPTV Holdings, Inc.

HC2 LPTV Holdings, Inc., licensee of W25DW-D (Fac. Id. No. 61692) (the "Station"), hereby amends its granted request for an extension of silent special temporary authority (LMS File No. 0000086499)[1] and respectfully requests that the FCC grant a waiver extending the twelve-month off-air period of 47 U.S.C. § 312(g) for such time sufficient for the Station's channel sharing partner, as "Sharer," to complete its displacement shared facilities.

On February 1, 2019, Licensee entered into a Channel Sharing Agreement (the "CSA") with KRCA Television, LLC and its wholly-owned subsidiary KCRA License, LLC ("Estrella") to resolve the mutually exclusive applications of W25DW-D and WESV-LD, resulting from each station's displacement following the broadcast spectrum incentive auction, by sharing channel 31 in Chicago. As "Sharer" in the CSA, Estrella is solely responsible for building the new channel 31 site, which is out of Licensee's control. Estrella has been diligently working to make the new channel 31 site operational by October 15, 2020, the Station's 312(g) deadline; however, supply-chain constraints resulting from the post-auction repack, and labor scarcities resulting from coronavirus precautions, make it unlikely that the Station will be able to become operational by that date. Labor has particularly slowed on the Hancock tower rooftop, the new channel 31 site.

Licensee seeks a 312(g) deadline extension for 180 days until Estrella completes the shared facilities and the Station becomes operational. The Station is unable to resume operations on its original channel due to displacement by a full power or Class A station as part of the MHz incentive auction.

Were it not for delays in Estrella's building of the shared facilities, the Station would have been operational by its 312(g) deadline. These conditions are beyond the control of the licensee. Given the irretrievable investments that the licensee has already made in the shared costs of constructing the shared facilities, and given that the build for this Station is almost complete, the licensee respectfully submits that the Media Bureau is justified in granting this brief extension. Section 312(g) provides that "If a broadcasting station fails to transmit broadcast signals for any consecutive 12-month period, then…the Commission may extend or reinstate such station license if the holder of the station license prevails in an administrative or judicial appeal, the applicable law changes, or for any other reason to promote equity and fairness."[2] Thus, the Media Bureau has the authority to extend the Station's license "for any…reason to promote equity and fairness" and, the facts and circumstances faced by the Station justify the Media Bureau to use such discretion in this case.

Exercise of the Media Bureau's discretion in this case will also advance the public interest by preserving service to viewers in the Station's community, ensuring that this community enjoys a diversity of free, over-the-air viewing options, including the free specialty Spanish-language Azteca America programming that will be aired by the Station.

For these reasons and those described above, granting this request is in the public interest.

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[1] The FCC has a history of granting such requests, particularly where, as here, the request is supported by good cause and granting it would further the public interest. *See, e.g.,* Application 0000034182, KZSD-LP, Facility ID 57054 (granting an LPTV station an STA extension on October 26, 2017, to allow the station to address "the fact that the Station's existing STA frequency will no longer be available in the reduced post-auction broadcast spectrum"); Application 0000030510, KDUG-LD, Facility ID 128855 (granting an LPTV station an STA extension on October 2, 2017, to accommodate its filing of a minor change application); Application 0000033847, KLFA-LD, Facility ID 13999 (granting an LPTV station an STA extension on October 17, 2017, to accommodate the station's concern "over whether [it] will be able to have a broadcast channel to operate on following repacking").

[2] 47 U.S.C. § 312(g).