

WNYT-TV, LLC
TV Translator Station W38DL-D
Request for Special Temporary Authority
May 2021

EXHIBIT 1

WNYT-TV, LLC (“Licensee”), the licensee of TV Translator Station W38DL-D (the “Station”), hereby requests special temporary authority (“STA”) that would supersede or replace the Station’s current STA and that would not expire for 180 days from Commission action or until **November 6, 2021**, whichever is later. (Because the Station’s current STA is currently set to expire on May 10, 2021, expedited review of this new STA request is hereby respectfully requested. *See* FCC File No. 0000124974.) This new STA request also supersedes or replaces the prior STA extension request for the Station, which had been previously filed with similar parameters and withdrawn as of May 6, 2021. *See* FCC File No. 0000144301.

Per its past STA filings with the Commission, the Station initially moved from its licensed Channel 38 operations to an emergency antenna on Channel 35, following a request from T-Mobile, so that the Station could continue to broadcast to its viewers while constructing the Station’s permitted displacement facility, which also had been assigned to Channel 35.¹ Through this instant request, the Station respectfully requests to continue Channel 35 operations pursuant to special temporary authority, albeit now on a new antenna with improved technical parameters as specified on the attached form and technical exhibits.

¹ *See* FCC File No. 0000053980 (the “Displacement Permit”). Contemporaneously with that initial STA request in November 2019, the Station also filed a suspension of operations notice for its pre-repack operations on Channel 38. *See* FCC File No. 0000090630. However, per prior exchanges with FCC Staff, the Station has not been off-air or silent during this period because it has been operating on Channel 35 per the above-referenced STA since it suspended its pre-repack Channel 38 operations. Accordingly, W38DL-D remains an active license pending the Station’s upcoming transition to its permitted displacement facility.

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The proposed STA is consistent with the public interest because it would enable the Station to improve its interim Channel 35 service to the public. In addition, the Station is requesting special temporary authority (rather than, for example, operations pursuant to program test authority) because, based on current circumstances, the Station may soon ask the Commission to modify its Displacement Permit, consistent with the requirements of Section 74.751 of the Commission's Rules.² To be clear, any such potential permit modification application is not currently expected to include a request for an extension of time for the current Displacement Permit, which is otherwise set to expire in January 2022. However, because certain technical and frequency operating parameters of the Station's Displacement Permit may benefit from further modification in light of a recent notice of proposed rulemaking issued by the Media Bureau, *see* MB Docket No. 21-127, and given the imminent expiration date of the Station's current STA, the Station hereby requests new special temporary authority to operate pursuant to the parameters set forth on the attached form and technical exhibits so that it may commence improved Channel 35 service to the public on an interim basis.

² *See* 47 C.F.R. § 74.751(b) (“(b) Formal application (FCC Form 346) is required for any of the following changes: (1) Replacement of the transmitter as a whole, except replacement with a transmitter of identical power rating which has been certificated by the FCC for use by low power TV, TV translator, and TV booster stations, or any change which could result in a change in the electrical characteristics or performance of the station. (2) Any change in the transmitting antenna system, including the direction of radiation, directive antenna pattern, antenna gain, transmission line loss characteristics, or height of antenna center of radiation. (3) Any change in the overall height of the antenna structure, except where notice to the Federal Aviation Administration is specifically not required under §17.14(b) of this chapter. (4) Any horizontal change of the location of the antenna structure which would (i) be in excess of 152.4 meters (500 feet), or (ii) require notice to the Federal Aviation Administration pursuant to §17.7 of the FCC's Rules. (5) A change in frequency assignment. (6) Any changes in the location of the transmitter except within the same building or upon the same pole or tower. (7) A change of authorized operating power.”)