

Request for Extension of Special Temporary Authorization

Connecticut Public Broadcasting, Inc. (“Licensee”), licensee of television station WEDW(TV), Bridgeport, Connecticut (Fac. ID 13594) (“Station”),¹ hereby submits this request for an extension of its special temporary authority to continue broadcasting on its post-auction DTV channel (21) from a single transmission site while Licensee completes construction of its permitted distributed transmission system (“DTS”).

The Station’s DTS construction permit (the “CP”) is currently tolled due to ongoing litigation. *See* File No. 0000130170 (tolling the Station’s CP “for 536 days from the date of final action of the judicial appeal of the grant of [the CP]”).² While the CP is tolled, the Station continues to operate on its assigned post-auction channel (21) from a facility near Bridgeport.

The Commission should extend the STA and allow WEDW to continue operating on its post-auction channel while the CP is tolled and until the Licensee has ample opportunity to construct the DTS. The FCC has indicated that “in order to facilitate timely construction of new facilities and to minimize any time broadcasters may be off the air,” reassigned stations and band changing stations may request an STA to operate with temporary facilities while they complete construction of their post-auction channel facilities.³ Among the options for a temporary facility is “a station operating on its assigned post-auction channel with parameters at variance from its post-auction construction permit.”⁴

As the Bureau acknowledged in granting the Licensee’s request for tolling, the Licensee’s inability to complete construction of the Station’s permanent facilities is due to circumstances beyond its control and the result of pending adjudicatory proceedings. Furthermore, grant of the instant request is not likely to negatively impact the overall transition schedule and will not cause interference to other stations because the Station is already operating on its post-auction channel pursuant to the STA. An extension of the STA will allow the Station to continue providing service while the status of the DTS Application is fully and finally resolved. On the other hand, if the Commission denies the instant request, the Station (and its channel sharing partners) will have no choice but to temporarily suspend operations.

¹ Licensee is a party to channel sharing agreements with full power television station WZME(TV), Bridgeport, Connecticut (Fac. ID 70493), and low power television station WTXH-LD, New Haven, Connecticut (Fac. ID 31453).

² On June 25, 2021, the United States Court of Appeals for the District of Columbia Circuit issued an unpublished order dismissing PMCM’s appeal. *See PMCM TV, LLC v. FCC*, Case No. 20-1334 (D.C. Cir. Slip Op. June 25, 2021) (the “June 25 Order”). The June 25 Order is not yet final.

³ *Incentive Auction Task Force and Media Bureau Announce Procedures for the Post-Incentive Auction Broadcast Transition*, Public Notice, DA 17-106 ¶ 46 (rel. Jan. 27, 2017) (citing *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd. 6567 ¶ 584 (2014)).

⁴ *Id.* ¶ 47.

Connecticut Public Broadcasting, Inc.
WEDW(TV), Bridgeport, CT (Fac. ID 13594)
Extension of STA

For the foregoing reasons, the Licensee respectfully requests a grant of the instant request for extension of the STA.