

Tribune Media Company
KIAH(TV), Houston, Texas
(Fac. ID 23394)

**Request for Special Temporary
Authority**

Tribune Media Company (“Licensee”), licensee of KIAH(TV), Houston, Texas, RF Channel 34 (Fac. ID 23394) (“KIAH”), hereby requests Special Temporary Authority in connection with the transition of KIAH’s transition to the ATSC 3.0 broadcast transmission standard and related proposal to broadcast KIAH’s non-primary programming streams (“multicast streams”) in ATSC 1.0 format as follows: (a) 39.2 Antenna TV and 39.4 TBD programming to KHOU(TV), Houston, Texas (Fac. ID 34529), RF Channel 11, licensed to KHOU-TV, Inc; (c) 39.3 Comet TV programming to KUHT(TV), Houston, Texas (Fac. ID 69269), RF Channel 8, licensed to University of Houston System; and (d) 39.5 Court TV programming to KTMD(TV), Galveston, Texas (Fac. ID 64984), RF Channel 22, licensed to NBC Telemundo License LLC. Licensee requests that for purposes of enforcement and application of its rules, KIAH be treated as if it is airing the multicast streams over KIAH and be the responsible party under the Act and Commission rules and regulations akin to the manner that the Commission treats ATSC 1.0 primary simulcast streams under the Next Gen TV rules.

As indicated in Licensee’s KIAH’s Form 2100 application, Licensee proposes to (1) commence ATSC 3.0 operations from the current KIAH facilities and (2) simulcast the KIAH primary stream (affiliated with CW) in ATSC 1.0 format on KPRC-TV, Houston, Texas (Fac. ID 53117), RF Channel 35, licensed to Graham Media Group, Houston, Inc. In return, KIAH will be a 3.0 “lighthouse” for the Houston market, hosting and broadcasting the primary programming streams of the following stations in ATSC 3.0 format: KPRC-TV (NBC); KHOU(TV) (CBS); KTMD(TV)(Telemundo); and KUHT(TV)(PBS).

To minimize the loss of over-the-air programming to its current ATSC 1.0 viewers resulting from the station’s transition to ATSC 3.0, Licensee proposes to broadcast its multicast streams on the stations referenced above pursuant to hosting agreements.

Because of ATSC 1.0 capacity constraints KIAH is not able to air its multicast streams on KPRC-TV, its primary ATSC 1.0 simulcast host. Furthermore, due to ATSC 3.0 capacity and other constraints attendant with the multi-station and multi-market coordination needed for a successful ATSC 3.0 deployment across the country, it is not feasible for Licensee to simulcast KIAH’s multicast streams in an ATSC 3.0 format without unduly minimizing, if not largely eliminating, the benefits to the public and the participating stations of transitioning to ATSC 3.0. Simulcasting those streams in ATSC 3.0 would reduce capacity available to NextGen stations for offering consumers the improved services that ATSC 3.0 enables. The types of services and improvements that would be precluded would include enhanced video featuring High Dynamic Range, Wide Color Gamut and High Frame Rate, immersive and multiple audio channels using Dolby AC-4, Advanced Emergency Alerting and Information functions as part of a broadcast receiver application, and non-real time interactive data delivery. Each of these

requires a portion of the ATSC 3.0 capacity that would be unavailable were Licensee to carry multicast program streams as the ATSC 3.0 lighthouse. Even setting aside these impediments, significant additional engineering work and more equipment would be required to simulcast KPLR's multicast streams in ATSC 3.0 and ATSC 1.0 formats. Obtaining, installing and testing that equipment would, at minimum, delay rollout of ATSC 3.0 in the Houston, Texas market.

The hosting arrangements with KHOU(TV), KUHT(TV) and KTMD(TV) will serve the public interest by enabling most current over-the-air viewers to continue to have access to KIAH's multicast streams. Absent the arrangements with KHOU(TV), KUHT(TV) and KTMD(TV), all over-the-air viewers would lose access to KIAH's multicast streams. Licensee has coordinated or will coordinate with any MVPDs that carry KIAH's multicast streams to confirm they will continue to receive a good quality signal of such streams from KHOU(TV), KUHT(TV) or KTMD(TV), either over-the-air or alternative delivery methods, including but not limited to direct fiber feed.

Although Licensee has agreed to indemnify the respective licensees of KHOU(TV), KUHT(TV) and KTMD(TV) from and against all liabilities or claims resulting from or arising out of the programming and advertising broadcast on Licensee's program streams using the facilities of KHOU(TV), KUHT(TV) and KTMD(TV) (as applicable), Licensee is requesting the instant authorization to make clear that Licensee will remain responsible for the Antenna TV, Comet TV, TBD and Court TV streams' compliance with the Communications Act and the Commission's rules and regulations. To alleviate any viewer confusion, Licensee is airing notices to over-the-air viewers of KIAH that it intends to discontinue ATSC 1.0 operations and begin broadcasting in the NextGen TV standard on KIAH beginning December 2, 2021, and to instruct all over-the-air viewers to tune to Channel 39 (PSIP channel for KIAH) to continue receiving the programming in the ATSC 1.0 standard. We also note that Licensee does not currently, and does not intend to, rely on its multicast streams for compliance with the Commission's Children's Television Programming requirements, as KIAH averages at least three hours per week of core programming on its primary stream. As such, neither KIAH's compliance with the Commission's Children's Television Programming requirements nor viewers' access to the station's required core programming will be affected by deviations in coverage (as shown in the engineering exhibit included with the application) resulting from the relocation of KIAH's multicast signals to the KHOU(TV), KUHT(TV) and KTMD(TV) facilities as described herein. Licensee provided notice to the relevant MVPDs of its proposed multicast ATSC 1.0 signal relocations when it provided the requisite notice regarding relocation of KIAH's primary stream ATSC 1.0 signal. As noted Licensee has also aired and will do what is legally required as to further airing of KIAH consumer notices regarding the station's transition to the ATSC 3.0 standard and the need for over-the-air viewers to rescan for the planned December 2, 2021 transition date.

Grant of this STA request will serve the public interest, as it will advance the Commission's ATSC 3.0 policy goals while preserving KIAH's ability to air each of its programming streams in the ATSC 1.0 format to ensure that almost all of KIAH's current viewers can continue to receive the programming currently available to them. It will also make clear that KIAH is an authorized user of a portion of the channels for KHOU(TV), KUHT(TV) and KTMD(TV) and is the party responsible for ensuring compliance with the Communications Act and the Commission's rules and regulations.