

Renewal of License – TV Translator/LPTV Certifications, Discontinued Operations Narrative

HC2 Broadcasting License Inc. (“HC2”) acquired the license for KPDS-LD, Facility ID: 184103, Wolcott, IN pursuant to an assignment application granted as part of the Consent Decree, 32 FCC Rcd 9129 (MB 2017). The acquisition was consummated on 11/9/2017.

The Assignor was: King Forward, Inc. The Lead File Number was: BALDTT-20170713AAG and the Member File Number was: BALDTL-20170713AAP.

In addition to the periods of silence noted in the Adherence to Minimum Operating Schedule Narrative¹, the station went silent on 9/5/2018 and a Silent Special Temporary Authority (“Silent STA”), FCC File Number: 0000059498, was filed 9/7/2018. The specific reason for the period of silence was that the station was undertaking efforts to construct its permanent broadcast facility pursuant to the granted Displacement application, FCC File Number: 0000053829. The narrative stated, “Unique circumstances support this request. First, HC2 is operating in a resource-constrained environment due to the ongoing 600 MHz Incentive Auction repacking process. Station owners seeking to build new broadcast facilities currently have access to far fewer resources than they would have otherwise, a factor that the FCC and its bureaus acknowledged could become an issue when designing the repacking process to facilitate this ‘once-in-lifetime opportunity to expand the benefits of mobile wireless coverage.’”² The Silent STA was granted on 9/7/2018.

The station filed an extension to the Silent STA, FCC File Number: 0000068259, on 3/4/2019 while it continued its efforts to construct its permanent displaced broadcast facility. The specific reason for the Silent STA Extension request stated, “The Licensee hereby submits that its intent is to not extend, delay, or otherwise impact the station’s planned return to air date. All efforts are underway to meet required FCC deadlines and the Station fully expects to be on the air prior to its 312(g) deadline of September 4, 2019. The Licensee has recently added several new team members to facilitate the planning, design, and construction of new facilities. The Station has thoroughly prepared site summaries and sketches and has scheduled the final site survey. Additionally, the Licensee is completing the engineering design process and is evaluating its Internet options for content delivery. Further, the Station has been in contact with transmitter and antenna manufacturers and is currently collecting quotes from vendors to complete construction.”

¹ See attached exhibit included in the License Renewal application.

² See, e.g., *Incentive Auction Closing and Channel Reassignment Public Notice et al.*, Public Notice, 32 FCC Rcd 2786 (MB 2017) (“Channel Reassignment PN”); *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd 6597 ¶ 3 (2014).

The station duly filed a Section 312(g) Waiver Request on 9/5/2019, FCC File Number: 000068259. The exhibit stated, “Upon arrival to install the Station’s new transmitter, the licensee’s engineers discovered that its shelter had been removed by the tower owner, without advanced notice to the licensee. This caused the licensee to have to purchase a new shelter and have it delivered to the site, which licensee believes will be in approximately two weeks from the date of this filing. Once the shelter is in place and electricity has been hooked up, the Station will become operational and its license to cover will be filed.” The Section 312(g) waiver request was granted on 3/23/2020.³ In the grant, Commission staff noted, “Consistent with the public interest and prior Bureau actions, we will provide section 312(g) relief to displaced LPTV and TV translator stations that were displaced by the Incentive Auction and pursued new displacement channels.”

The station resumed operations when it filed a License to Cover application on 9/21/2020, FCC File Number: 0000121899. The License to Cover was granted on 3/31/2021. Since that date, the station has been operating pursuant to authorized specifications.

³ See attached Discontinued Operations exhibit included in the License Renewal application.