

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY (MULTICAST HOSTS)**

Gray Television Licensee, LLC (“Gray”), licensee of digital full power television station WSAZ-TV, Huntington, WV (FID 36912) (“WSAZ”), hereby requests special temporary authority regarding the hosting of WSAZ’s ATSC 1.0-formatted multicast channels on television stations other than WSAZ’s primary ATSC 1.0 simulcast host to allow WSAZ to serve over-the-air viewers in the Charleston-Huntington DMA.

On November 17, 2021, the FCC granted Gray’s application for WSAZ to voluntarily convert to the ATSC 3.0 transmission standard beginning on December 2, 2021.<sup>1</sup> Under the transition plan for the Charleston-Huntington DMA (in which WSAZ is located), WSAZ will host its own ATSC 3.0-formatted primary channel along with the ATSC 3.0-formatted primary channels of WQCW, WOWK-TV, WVAH-TV, and WCHS-TV. WSAZ’s ATSC 1.0-formatted primary channel, meanwhile, will be hosted by WQCW. WSAZ also transmits four ATSC 1.0-formatted multicast channels. Because WQCW does not have sufficient bandwidth capacity to host WSAZ’s multicast channels in ATSC 1.0, those channels would be hosted as follows: MyNet/MeTV and Circle (WVAH-TV), DABL (WOWK-TV), and True Crime Network (WCHS-TV). Gray will indemnify the licensee of the host stations with respect to the content of the hosted multicast channels and will be responsible for the multicast channels’ compliance with all applicable laws and regulations. To avoid viewer confusion, each of WSAZ’s current multicast channels would retain its existing PSIP major/minor channel numbers.

Grant of the authority requested herein is in the public interest because it would allow WSAZ and the other stations in the Charleston-Huntington DMA to begin offering advanced Next Gen Television service to viewers while maintaining full, uninterrupted service in the current ATSC 1.0 format. WSAZ is airing public service announcements to inform viewers of its upcoming transition and of the need for viewers to rescan their televisions after the transition date in order to maintain over-the-air access to WSAZ’s program streams in the current format.<sup>2</sup>

In its November 5, 2021 Second Further Notice of Proposed Rulemaking, the Commission recognized that its “existing rules do not address the licensing of multicast streams” but that “a Next Gen TV broadcaster that has converted or is seeking to convert its facility to 3.0 can seek special temporary authority (STA) to air 1.0 multicast streams on a host station.”<sup>3</sup> As the Commission further explained, “these STAs permit a guest multicast stream to be treated as if it originated from the Next Gen TV broadcaster’s facility, as opposed to the host station’s facility, for purposes of the Commission’s rules and the Communications Act.”<sup>4</sup>

Consistent with the FCC’s proposal in the Second FNPRM, Gray’s use of multiple ATSC 1.0 hosts will allow it to maintain existing service to viewers without burdening any party. Gray acknowledges that the use of multiple ATSC 1.0 hosts does not create any new carriage rights for its multicast streams. Gray seeks the Commission’s recognition of its proposed multi-host arrangements simply to provide needed clarity: (1) that the hosting arrangements do not implicate the broadcast ownership rules, and (2) that

---

<sup>1</sup> See File No, 0000167829 (the “WSAZ Next Gen App”).

<sup>2</sup> See 47 C.F.R. § 73.3801(g).

<sup>3</sup> *Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard*. Second Further Notice of Proposed Rulemaking, GN Dkt. No. 16-142, FCC 21-116, ¶ 6 (rel. Nov. 5, 2021) (the “Second FNPRM”).

<sup>4</sup> *Id.*

WSAZ, as the originator of each multicast stream at issue, is “responsible for regulatory compliance regarding the multicast stream being aired on a host station.”<sup>5</sup>

Finally, Gray notes that WSAZ fulfills all of its children’s programming requirements by airing core E/I programming on WSAZ’s primary stream. WSAZ does not, and does not intend to, rely on any programming broadcast on its multicast streams for compliance with the Commission’s children’s programming requirements.

For the reasons set forth above, the Commission should grant forthwith Gray’s request for Special Temporary Authority, to the extent required, to broadcast its ATSC 1.0-formatted multicast channels via the facilities of WVAH-TV, WOWK-TV, and WCHS-TV after WSAZ converts its broadcast transmission to the Next Gen Television standard.

---

<sup>5</sup> *Id.* ¶ 11.