Renewal of License Amendment – Adherence to Minimum Operating Schedule Narrative

DTV America Corporation initiated operations on W28EU-D, Macon, GA, Facility: 182095, when it filed a Notice of Consummation on 7/16/2015 to Assignment of Permit application, FCC File Number: BAPDTL-20150127AAM, on 7/21/2015. A License to Cover application was filed on 6/17/2016, FCC File Number: 0000011210.

The station went silent on 8/10/2016 and filed a Silent Special Temporary Authority ("Silent STA") request on 8/10/2016, FCC File Number: 0000013681, which was granted on 8/16/2016. The reason for the period of silence was outlined in the Media Bureau's *DTV America Corporation et al.*, Consent Decree, 32 FCC Rcd 9129 (MB rel. Oct. 31, 2017) ("Consent Decree").

The station filed a license to cover application on 8/18/2016, FCC File Number: 0000013758, granted on 8/23/2016.

The station went silent on 8/21/2016 and filed a Silent STA request on 8/23/2016, FCC File Number: 0000013784, which was granted on 8/23/2016. The reason for the period of silence was outlined in the Consent Decree.

The station filed a Silent STA extension request on 2/21/2017, FCC File Number: 0000022088, which remains pending. The reason for the silent extension was outlined in the Consent Decree.

The station resumed operations on 6/25/2017 and filed a Resumption of Operations, FCC File Number: 0000025202, on 6/26/2017.

The station went silent on 6/25/2017 and filed a Silent STA request, FCC File Number: 0000025364, on 6/29/2017. The reason for the period of silence was outlined in the Consent Decree.

HC2 Broadcasting acquired majority control of the station license pursuant to a transfer of control application as part of the Consent Decree. The acquisition was consummated on 11/9/2017.

The Transferor was DTV America Corporation. The Lead File Number was: BTCDTL-20170714ABI and the Member File Number was: BTCDTT-20170714ACS.

The station filed a Silent STA extension request on 12/14/2017, FCC File Number: 0000036368, which remains pending. The reason for the silent extension was due to the transfer of control of DTV America to HC2 Broadcasting Inc. ("HC2"), and the subsequent complications of transitioning to new leadership. The transaction was consummated on November 9, 2017 and involved more than 400 LPTV stations. HC2 was in the process of surveying its resources and developing construction and operational plans. Additionally, HC2, as the new majority owner of DTV America, was operating in a resource-constrained environment due to the 600 MHz Incentive Auction repacking process. Station owners, particularly LPTV station owners which were deemed lower priority, that were seeking to build new broadcast facilities had access to far fewer resources such as tower crews and equipment than they would have had otherwise, a factor that the Commission and the Media Bureau acknowledged.[1]

[1] *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*

HC2 requested an extension of the Silent STA to avoid the inefficiency and waste associated with building a second, duplicative broadcast facility that could only be used for a short period of time given the displaced status of the station. Specifically, the station was displaced as part of the repacking process and would have needed to build a separate facility to operate on a new channel.[2] Thus, if required to resume transmission prior to the STA's expiration date, DTV America would have been forced to build a first facility to operate on the station's current channel and then, soon after, a second facility to operate on the station's new channel.

The station resumed operations on 2/14/2018 and filed a Resumption of Operations, FCC File Number: 0000042501, on 2/20/2018.

The station went silent on 2/14/2018 and filed a Silent STA request on 2/19/2018, FCC File Number: 0000042502, which was granted on 2/19/2018, in anticipation of the station filing its displacement construction permit application. The displacement application was filed on 4/19/2018, FCC File Number: 0000053057, and granted on 8/24/2018.

The station resumed operations on 11/7/2018 and filed a Resumption of Operations, FCC File Number: 0000063445, on 11/13/2018.

The station went silent 11/7/2018 and filed a Silent STA request on 11/13/2018, FCC File Number: 0000063457, which was granted on 11/13/2018. The specific reason for the silence was that the station was diligently building its new displacement facility as outlined in the granted Displacement Construction Permit, FCC File Number: 0000053057.

The station filed a STA Silent extension request, FCC File Number: 0000072388, on 5/6/2019 as it worked towards continuing to build the displacement facility.

The station duly filed a Section 312(g) waiver request on 11/7/2019, FCC File Number: 0000072388, as amended, which was granted on 3/23/2020.[3]

The station filed a License to Cover application, FCC File Number: 00000112812, on 4/28/2020 which was granted on 4/29/2020. Since that date, the station has been operating pursuant to its authorized specifications.

Spectrum Through Incentive Auctions, Report and Order, 29 FCC Rcd 6597 ¶ 3 (2014).

[2] *See, e.g., Channel Reassignment PN*.

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