

Nexstar Media Inc.
KBVO-CD, Austin, TX
(Facility ID 35918)

**Request for Extension of Special
Temporary Authority**

Nexstar Media Inc. (“Licensee”), licensee of KBVO-CD, Austin, Texas (Fac. ID 35918), RF Channel 31 (“KBVO”), hereby requests an extension of Special Temporary Authority that was granted on September 8, 2021 (File No. 0000140933) (“STA”) in connection with the transition of KBVO to the ATSC 3.0 broadcast transmission standard and related proposal to broadcast KBVO’s non-primary programming streams (“multicast streams”) in ATSC 1.0 format on KEYE-TV, Austin, Texas (Fac. ID 33691), RF Channel 34, licensed to KEYE License, LLC, and its commonly owned station KXAN-TV, Austin, Texas (Fac. ID 35920), RF Channel 21. KBVO is the 3.0 host for other broadcast stations in the Austin, Texas market, and simulcasts its primary programming stream in ATSC 1.0 format on KNVA(TV), Austin, Texas (Fac. ID 144), RF Channel 23, licensed to 54 Broadcasting, Inc. *See* File No. 0000121392. KBVO proposes to continue to broadcast its existing multicast streams as follows:

13.2 Bounce programming and 13.3 H&I programming on KEYE-TV, Austin, Texas (Fac. ID 33691), RF Channel 34, licensed to KEYE License, LLC; and

13.4 Antenna TV programming on commonly owned station KXAN-TV Austin, Texas (Fac. ID 35920), RF Channel 21.

Licensee requests that for purposes of enforcement and application of its rules, KBVO be treated as if it is airing the multicast streams over KBVO 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 noted in the STA, because of ATSC 1.0 capacity constraints, KBVO is not able to air its multicast streams on KNVA, 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 KBVO’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. Granting this extension would ensure that all over the air viewers continue to receive access to ATSC 1.0 signals of KBVO’s multicast streams. Licensee reiterates as well that it will remain responsible for these streams’ compliance with the Communications Act and the Commission’s rules and regulations.

Although Licensee has agreed to indemnify the licensee of KEYE-TV from and against all liabilities or claims resulting from or arising out of the programming and advertising broadcast on KBVO’s program streams using the facilities of KEYE-TV, Licensee is requesting the instant authorization to make clear that Licensee will remain responsible for the Bounce, H&I and Antenna TV streams’ compliance with the Communications Act and the Commission’s rules and regulations.

An extension of this STA request will serve the public interest, as it will advance the Commission's ATSC 3.0 policy goals while preserving KBVO's ability to air each of its programming streams in the ATSC 1.0 format to ensure that most of KBVO's current viewers can continue to receive the programming currently available to them. It will also make clear that KBVO is an authorized user of a portion of the channels for KEYE-TV and KXAN-TV and is the party responsible for ensuring compliance with the Communications Act and the Commission's rules and regulations.¹

¹ Pursuant to the Media Bureau's request that all ATSC 3.0 licensees formally seek modification or clarification of the of the FCC ATSC rules prior to seeking an extension, Licensee notes and supports the Petition for Declaratory Ruling and Petition for Rulemaking filed by the National Association of Broadcasters on November 9, 2020 in GN Docket No. 16-142.