

### **EXTRAORDINARY CIRCUMSTANCES**

Austin Television Association/Lander County (“Lander County”) has filed the attached Petition for Reconsideration (“Petition”) seeking reconsideration of both the October 3, 2022, expiration and the October 7, 2022, cancellation of the license for this station. Lander County hereby respectfully requests Special Temporary Authority to continue operating the station pending the outcome of the Petition.

As noted in the Petition, the stations with cancelled displacement construction permits are operating on their post-displacement channels. Specifically, K41HH-D is operating on Channel 21, K46FB-D is operating on Channel 35, and K44LL-D is operating on Channel 28.

BEFORE THE  
Federal Communications Commission  
WASHINGTON, D.C. 20554

In the Matter of	)
	)
Expired and Cancelled TV	)
Translator Licenses	)
	)
K10KB-D; Facility ID No. 3348	)
K41HH-D; Facility ID No. 3350	)
K26EH-D; Facility ID No. 3351	)
K23KV-D; Facility ID No. 3352	)
K46FB-D; Facility ID No. 3353	)
K44LL-D; Facility ID No. 187863	)
Austin, Nevada	)
	)

To: The Secretary, FCC  
Attn: Chief, Media Bureau

**PETITION FOR RECONSIDERATION**

Austin Television Association/Lander County (“Lander County”), licensee of the above-captioned TV translator stations (the “Stations” or “Licenses”), through counsel and pursuant to § 1.106 of the Commission’s Rules, hereby respectfully petitions the Commission for reconsideration of both the October 3, 2022, expiration<sup>1</sup> and the October 7, 2022, cancellation of the Licenses.<sup>2</sup> Lander County also hereby respectfully requests reinstatement of the Licenses

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<sup>1</sup> October 1, 2022, was a Saturday.

<sup>2</sup> Public Notice, *Actions*, Report No. PN-2-221012-01 (Oct. 12, 2022).

and permission to late-file applications for renewal of the Licenses. Finally, to the extent necessary, Lander County respectfully requests reconsideration of the cancellation of displacement construction permits for certain of the Stations, or alternatively permission to file new displacement applications.<sup>3</sup>

The Stations are currently on the air and operating at licensed parameters.<sup>4</sup> Further, the Stations have been on the air for the entirety of the past renewal term.<sup>5</sup> Lander County did not timely file applications for renewal of the Licenses as the result staff turnover and a change in the County Manager during which correspondence was either not received or misplaced. Current Lander County staff did not have any familiarity with the Commission's processes and were unaware that license renewal applications were required. Lander County has now engaged undersigned counsel to assist not only with reinstatement of the Licenses, but also with general FCC compliance going forward.

The Stations rebroadcast both noncommercial and commercial programming, including vital public safety and news information, to the rural Austin, Nevada (population 167), which does not otherwise receive free over-the-air television reception.

Accordingly, Lander County respectfully submits that it would serve the public interest to reconsider the expiration and cancellation of the Licenses, reinstate the Licenses, and permit

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<sup>3</sup> K41HH-D (Facility ID No. 3350), displacement application for K21NT-D, File No. 0000054903; K46FB-D (Facility ID No. 3353), displacement application for K35OS-D, File No. 0000054902; K44LL-D (Facility ID No. 187863), displacement application for K28QD-D, File No. 0000054904.

<sup>4</sup> The Stations with cancelled displacement construction permits are operating on their displaced channels. Specifically, K41HH-D is operating on Channel 21, K46FB-D is operating on Channel 35, and K44LL-D is operating on Channel 28.

<sup>5</sup> Some Stations may have been off the air for no longer than a day or two during required maintenance or repairs.

Lander County to file applications for renewal of the Licenses.

Respectfully Submitted,

AUSTIN TELEVISION ASSOCIATION/  
LANDER COUNTY

November 2, 2022

FOSTER GARVEY P.C.  
1000 Potomac Street NW, Suite 200  
Washington, DC 20007

A handwritten signature in dark ink, appearing to read 'Brad C. Deutsch', with a long horizontal line extending to the right.

Brad C. Deutsch  
*Its Attorney*