

Request for Special Temporary Authority ATSC 1.0 Multicast

NBC Telemundo License LLC (“NBCTLL”), licensee of WTVJ, Miami, Florida (FIN 63154) (“Station”), hereby requests special temporary authority (“STA”) to allow the broadcast of one of the Station’s multicast streams on another station in the Miami-Ft. Lauderdale Designated Market Area (“DMA”) in connection with the deployment of ATSC 3.0 in the market. Specifically, NBCTLL requests authority for a non-primary programming stream of WTVJ to be aired in the ATSC 1.0 standard, with no ATSC 3.0 simulcast, on WAMI-DT, Hollywood, Florida (FIN 60536), which is licensed to Unimas Miami LLC (“Univision”). NBCTLL also requests that the FCC treat NBCTLL as the responsible party with regard to WTVJ’s non-primary multicast stream to be aired on WAMI-DT proposed herein for purposes of enforcement and application of the Communications Act of 1934, as amended (the “Act”), as well as the FCC’s rules and regulations (together with the Act, “Communications Laws”), akin to the manner that the FCC treats ATSC 1.0 primary simulcast streams under the NextGen TV rules.

The Station proposes to serve as the ATSC 3.0 lighthouse station and transmit ATSC 3.0 programming streams for other in-market stations as well as for itself. In an application to transition to the ATSC 3.0 standard that is being filed contemporaneously herewith, the Station proposes to (1) transition its current primary ATSC 1.0 NBC network programming to commonly owned WSCV, Fort Lauderdale, Florida (FIN 64971), and (2) commence ATSC 3.0 operations from the Station’s current facility. In addition, to minimize the loss of over-the-air programming to the Station’s current ATSC 1.0 viewers, NBCTLL will transition the Station’s three non-primary multicast ATSC 1.0 program streams to WSCV and WAMI-DT while maintaining the PSIP virtual channels pursuant to Annex B.1.7 of ATSC A/321:2016 (as incorporated in Section 73.8000 of the FCC’s rules).¹ To comply with the FCC’s requirements, an application for WSCV to be carried in the ATSC 3.0 standard on the Station will be filed contemporaneously with this STA request.

Due to ATSC 1.0 capacity constraints, the Station is unable to air all of its non-primary multicast streams on WSCV, its primary ATSC 1.0 simulcast host. Further, because of ATSC 3.0 capacity and other constraints attendant with the multi-station coordination needed for a successful ATSC 3.0 deployment in the Miami-Ft. Lauderdale DMA, it is not feasible for the Station to simulcast multicast streams in the ATSC 3.0 format without unduly minimizing the benefits to the public and the participating stations transitioning to ATSC 3.0. Simulcasting multicast streams in ATSC 3.0 would reduce capacity available to NextGen stations for offering consumers the improved services that ATSC 3.0 enables. The types of services and improvements that would be precluded would include enhanced video feature High Dynamic Range, Wide Color Gamut and High Frame Rate, immersive and multiple audio channels using Dolby AC-4, Advanced Emergency Alerting and Information functions as part of a broadcast receiver applications, and non-real time interactive data delivery. Each of these services requires a portion of the ATSC 3.0 capacity that would be unavailable if the Station were to carry multicast program streams as the ATSC 3.0 lighthouse.

¹ In addition to its primary ATSC 1.0 programming stream (NBC), the Station currently broadcasts three multicast streams (COZI, LXTV, and OXYGEN) in ATSC 1.0.

WTVJ's non-primary multicast ATSC 1.0 program streams will be hosted as follows:

Stream	ATSC 1.0 Host Station	RF Channel of ATSC 1.0 Host Station	Virtual Channel (No Change)
COZI	WSCV	30	6.2
LXTV	WSCV	30	6.3
OXYGEN	WAMI-DT	24	6.4

The ATSC 1.0 hosting arrangements with WSCV and WAMI-DT will serve the public interest by enabling over-the-air viewers continued access to the Station's non-primary multicast streams. Absent these arrangements, over-the-air viewers would lose access to the Station's non-primary multicast streams.

As shown in the attached coverage map, 99.77% of the viewers that currently receive the Station's OXYGEN multicast stream over-the-air from the current WTVJ ATSC 1.0 facility will retain access to this multicast stream from WAMI-DT. The Station's non-primary OXYGEN multicast stream will continue to serve the Station's community of license. Without this ATSC 1.0 hosting arrangement, and absent the clarity that a grant of the instant request for STA would provide, NBCTLL would not be able to provide the Station's OXYGEN non-primary multicast stream over-the-air upon commencing ATSC 3.0 operations, which would result in a complete loss of service to all of the over-the-air viewers of this programming stream.

In the Second Further Notice of Proposed Rulemaking, the FCC 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."² As the FCC 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."³ Consistent with the FCC's proposal in the Second FNPRM, NBCTLL's use of multiple ATSC 1.0 hosts (WSCV and WAMI-DT) will allow it to maintain existing WTVJ service to viewers without burdening any party. NBCTLL acknowledges that the use of multiple ATSC 1.0 hosts does not create any new carriage rights for its multicast streams. NBCTLL simply seeks the FCC's recognition of its proposed multicast hosting arrangement with WAMI-DT to provide needed clarity that: (1) the hosting arrangement does not implicate the broadcast ownership rules, and (2) the Station, as the originator of the multicast stream at issue, is "responsible for regulatory compliance regarding the multicast stream being aired on a host station."⁴

The Station will also air the requisite consumer notices regarding the Station's transition to the ATSC 3.0 standard and the need for over-the-air viewers to rescan their television sets in order to continue to receive the Station's ATSC 1.0 programming streams. NBCTLL also provided notice to

² *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*, GN Docket No. 16-142, Second Further Notice of Proposed Rulemaking, FCC 21-116, released November 5, 2021 ("Second FNPRM"), at para. 6.

³ *Id.*

⁴ *Id.* at para 11.

impacted MVPDS, if any, of the Station's proposed multicast ATSC 1.0 signal relocations when it provided the requisite notice regarding relocation of the Station's primary ATSC 1.0 signal.

Accordingly, NBCTLL respectfully requests that the FCC (1) grant the instant request for STA to authorize the broadcast of the non-primary programming stream of WTVJ in the ATSC 1.0 format on WAMI-DT as described above and (2) incorporate the virtual channel mapping described above within the STA grant authorization. A grant of this STA will serve the public interest as it will advance the FCC's ATSC 3.0 policy goals while preserving WTVJ's ability to air each of its programming streams in the ATSC 1.0 format. The grant of this STA will also make clear that NBCTLL's WTVJ is an authorized user of a portion of WAMI-DT's channel and that NBCTLL is the party responsible for ensuring compliance with the Communications Laws.

