

**Venture Technologies Group, LLC
KZNO-LD (Facility ID 63149), Big Bear Lake, CA**

Request for Extension of Engineering STA

Venture Technologies Group, LLC (“Licensee”), licensee of LPTV station KZNO-LD, Big Bear Lake, CA (FID 63149) (the “Station”), hereby requests, to the extent necessary, an extension of File No, 0000178099 for special temporary authority to operate an analog FM audio carrier as an ancillary or supplementary service within the Station’s assigned digital channel frequencies while the current rulemaking on this issue remains pending. The existing STA is scheduled to expire on January 23, 2023.

In its October 2014 *LPTV Third NPRM*, the Commission asked, among other things, “whether to allow LPTV stations on digital television channel 6 (82- 88 MHz) to operate analog FM radio-type services on an ancillary or supplementary basis pursuant to section 73.624(c) of the rules.”¹ Although the record developed in response to the NPRM overwhelmingly supported this approach, the agency took no action in its *Third Report and Order and Fourth Notice of Proposed Rulemaking*, declaring in a footnote: “We intend to issue a decision on whether to permit digital LPTV stations to operate analog FM radio type services on an ancillary or supplementary basis at a later date.”² The Commission refreshed the record in 2020 and subsequently issued a Notice of Proposed Rulemaking, but has yet to issue a decision.

The Licensee believes that under the FCC’s existing rules, it is permitted to offer an audio signal available at 87.7 FM on an ancillary or supplementary basis. *See* 47 C.F.R. § 73.624(c) (permitting DTV stations to use spectrum “to offer services of any nature, consistent with the public interest, convenience, and necessity, on an ancillary or supplementary basis” provided that such services “do not derogate DTV broadcast stations’ obligations” to offer at least one over-the-air video stream at no direct charge to viewers); 47 C.F.R. § 74.790(i) (incorporating Section 73.624(c) for digital LPTV stations).³ Nevertheless, out of an abundance of caution, it requests

¹ *Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power Television and Television Translator Stations; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Amendment of Part 15 of the Commission’s Rules to Eliminate the Analog Tuner Requirement*, Third Notice of Proposed Rulemaking, 29 FCC Rcd. 12536 ¶ 47 (2014).

² *Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power Television and Television Translator Stations; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Amendment of Part 15 of the Commission’s Rules to Eliminate the Analog Tuner Requirement*, Third Report and Order and Fourth Notice of Proposed Rulemaking, 30 FCC Rcd. 14927 ¶ 4 n. 12 (2015).

³ Section 73.624(c) specifically authorizes the provision of ancillary or supplementary “aural messages” and “audio signals” on a broadcast, point-to-point, or point-to-multipoint basis. 47 C.F.R. § 73.624(c).

special temporary authority to offer an analog FM audio stream on an ancillary or supplementary basis.⁴

Technical Configuration and Interference Statement

As permitted under the ATSC A/322 standard, the Station's ATSC 3.0 signal is configured to occupy 5.509 MHz of the Station's digital channel.⁵ The ancillary or supplementary audio signal occupies a portion of the remaining bandwidth assigned to the Station as part of its DTV channel. The audio signal does not derogate the Station's obligations under Section 74.790(g)(3) of the FCC's Rules, 47 C.F.R. § 74.790(g)(3).

The Station utilizes a complete transmitter system designed by Broadcast Engineering/Elenos and SYES with a single transmission line and the antenna system set forth in the Station's license.

On or around November 22, 2022, California State University, Long Beach Research Foundation ("CSULBRF") filed a document purporting to be an "Interference Complaint." The Interference Complaint did not identify any interference that was traceable to KZNO-LD's signal (whether ATSC 3.0 or FM). Rather, the Interference Complaint and the corresponding engineering exhibit speculated that the source of the purported interference may have been from KZNO-LD (which operates at 87.75 FM, not 87.9) and requested "that more measurements be taken regarding the operations of KZNO-LD, including field measurements at 1 km from the KZNO-LD transmitter, to confirm the source of the interfering 87.9 MHz signal."

The Interference Complaint appears to be nothing more than the latest tactic in a nearly six-year effort by CSULBRF to stifle the operations of KZNO-LD and its analog predecessor, KZNO-LP, based on the theoretical possibility that KZNO-LD could cause interference to KKJZ, which operates at 88.1 FM.⁶ The Licensee provided a formal response to the Interference Complaint demonstrating that it should be dismissed.

⁴ See Letter from Barbara A. Kreisman, Chief, Video Division, Media Bureau to Venture Technologies Group, LLC, LMS File No. 0000147729 (June 10, 2021) (granting engineering STA for ancillary or supplementary analog audio service).

⁵ See 47 C.F.R. § 73.682(f) (permitting operations that comply with the standards set forth in ATSC A/322:2017); Advanced Television Systems Committee, *ATSC Standard: Physical Layer Protocol (A/322)* 69, Table 7.1 (June 6, 2017).

⁶ See California State University Long Beach Research Foundation, Informal Objection, LMS File No. 0000022352 (filed May. 31, 2017); California State University Long Beach Research Foundation, Petition for Reconsideration, LMS File No. 0000056235 (filed Jan. 25, 2019); California State University Long Beach Research Foundation, Request to Hold Application in Abeyance, LMS File No. 0000079955 (filed Jan. 25, 2019); California State University Long Beach Research Foundation, Petition for Reconsideration, LMS File No. 0000074825 (filed Jan. 25, 2019); Comments of California State University, Long Beach Research Foundation (KKJZ), MB Docket Nos. 19-193; 17-105 ¶ 4 (Oct. 21, 2019); see also California State University Long Beach Research Foundation, Letter, MB Docket Nos. 03-185;

Although Licensee has been unable to replicate CSULBRF's findings and has no reason to believe that KZNO-LD is the source of any interference, CSULBRF has recognized that "[t]here are options utilizing established technology to ensure that FM stations are protected from interference from LPTV stations operating on Channel 6."⁷ In the unlikely event that KZNO-LD is determined to be the source of any interference, Licensee will promptly take remedial action, which may include such options.

Since the Station began operating with this configuration, the Licensee has not received any other complaints about interference.

Video Programming Statement

The Licensee commits that while it is operating pursuant to the instant STA, it will continue to make efficient use of the ATSC 3.0 video portion of the Station's signal. The Station will provide at least one stream of synchronized video and audio programming on the ATSC 3.0 portion of the spectrum on a full time (24x7) basis. The Station currently transmits video programming provided by Jewelry TV. This video programming can be satisfactorily viewed on consumer receiving equipment based on the ATSC 3.0 standard. *See* 47 C.F.R. § 74.795(b); 47 C.F.R. § 73.790(g)(3).⁸

12-268 (July 30, 2019); Reply Comments of California State University Long Beach Research Foundation, MB Docket 03-185 at 6 (Aug. 1, 2022).

⁷ Comments of California State University Long Beach Research Foundation, MB Docket 03-185 (Jan. 22, 2020); *see also* Reply Comments of California State University Long Beach Research Foundation, MB Docket 03-185 (Feb. 6, 2020).

⁸ Although Section 74.795(b) references the DTV standard in Section 73.682(d), Section 73.682(f) permits the use of ATSC 3.0 "[a]s an alternative to broadcasting only an ATSC 1.0 signal," 47 C.F.R. § 73.682(f), and Section 74.782 permits LPTV stations to operate exclusively using the ATSC 3.0 standard, *id.* § 74.782(c).