

### **Request for Extension and Amendment of Special Temporary Authority (Multicast Host Authorization)**

TEGNA Inc. (“TEGNA”), on behalf of its subsidiary KONG-TV, Inc. (“Licensee”), licensee of television station KONG, Everett, Washington (“KONG”), hereby requests to amend its existing Legal Special Temporary Authority regarding the hosting of KONG’s ATSC 1.0-formatted multicast channels<sup>1</sup> by changing the affiliation of its multicast channel 16.3, hosted on of KCPQ, Tacoma, Washington (“KCPQ”), from This TV to The Grio, and to extend its Legal STA, as amended, for a further 18 days. The amended hosting arrangements would be as follows:

PSIP	Affiliation	Resolution	Host	Host RF Channel	ATSC 3.0 Simulcast
16.1	Independent (Primary)	720p HD	KING	25	Yes (KONG)
16.2	QVC	480i SD	KZJO	36	No
16.3	The Grio	480i SD	KCPQ	13	No

KONG’s multicast channel 16.3 currently airs This TV via KCPQ’s facilities in 480i SD resolution. Thus, the proposed change in affiliation from This TV to The Grio would not alter the amount of spectrum bandwidth used by KONG’s multicast channels. Moreover, at the time KONG converted to Next Gen Television operation, KONG already broadcast its primary channel in HD and two SD multicast channels, at the time affiliated with This TV and Bounce,<sup>2</sup> thus demonstrating that KONG would be able to broadcast the above-described primary and multicast streams if KONG currently were broadcasting in ATSC 1.0 via its own facilities.

Subject to Commission approval, Licensee intends to complete the change in affiliation for channel 16.3 on or before August 15, 2023. Licensee would be permitted to make this change without prior Commission approval once the Commission’s recently adopted revisions to its Next Gen Television hosting rules take effect.<sup>3</sup> Licensee will post a notice on its website regarding the change in programming on channel 16.3. Because KCPQ currently is hosting that multicast channel, Licensee anticipates that MVPDs will continue to receive a good quality signal of the channel. Licensee will coordinate with MVPDs as needed with respect to any reception issues that may arise. The PSIP (virtual) channel for each of KONG’s programming streams will remain unchanged and will continue to be identified to viewers as being associated with KONG, which will avoid any viewer confusion.

Licensee would remain “the sole party responsible for ensuring compliance with all statutory and regulatory requirements with regards to KONG’s two original non-primary multicast streams,” including without limitation with respect to “political broadcasting, children’s programming, equal

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<sup>1</sup> See LMS File No. 0000205641.

<sup>2</sup> See *KONG-TV, Inc.*, Letter, LMS File No. 0000127063, at 2 (MB Vid. Div. Dec. 11, 2020) (“*KONG Multicast Host Grant*”).

<sup>3</sup> *Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard*, 3rd R&O and 4th FNPRM, FCC 23-53, at ¶ 37 (June 20, 2023) (“*Next Gen 3rd R&O*”). (“Changes to the affiliation or content of a stream, or the elimination of a stream, however, do not implicate the concerns raised in this proceeding if they would not result in the use of additional capacity and if information about the change is easily available to the public. Therefore, in order to streamline this process for both broadcasters and the Commission, such changes may be implemented without prior Commission approval.”)

employment opportunities, public inspection files, indecency, sponsorship identification, station identification, contests, the CALM Act, and the Emergency Alert System.”<sup>4</sup>

Finally, Licensee notes that KONG continues to fulfill all of its children’s programming requirements by airing core E/I programming on the station’s primary stream. KONG does not, and does not intend to, rely on any programming broadcast on its multicast streams for compliance with the Commission’s children’s programming requirements.

The extension of Licensee’s Legal STA, as amended, is in the public interest because it would allow KONG, KING, KCPQ and KZJO to continue offering advanced Next Gen Television service to viewers while also enabling KONG to fully serve the needs and interests of its community by maintaining over-the-air viewers’ programming choices in the current ATSC 1.0 format. Due to bandwidth constraints, KONG cannot host all of its ATSC 1.0 streams on KING, nor is it able – or required – at this time to offer Next Gen Television versions of its multicast streams.<sup>5</sup> Thus, absent the continued ability to use multiple ATSC 1.0 host stations as described herein, KONG would have to eliminate its broadcast of some or all of the station’s existing multicast streams. Such a restrictive approach would be inconsistent with the Commission’s recent recognition of “the strong public interest in facilitating broadcasters’ preservation of the best possible 1.0 service during the transition period.”<sup>6</sup>

For the reasons set forth above, the Commission should grant forthwith Licensee’s request for an extension and amendment of its Special Temporary Authority, to the extent required, to change the affiliation of its multicast channel 16.3 as described herein.

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<sup>4</sup> *KONG Multicast Host Grant* at 3 (footnote omitted).

<sup>5</sup> See 47 C.F.R. § 73.3801(b).

<sup>6</sup> *Next Gen 3rd R&O* at ¶ 16