

**Request for Extension of Special Temporary Authority**

Flint (WBSF-TV) Licensee, Inc. (“Licensee”), licensee of WBSF(TV), Bay City, MI (Facility ID 82627), hereby requests extension of the Special Temporary Authority (“STA”) that was granted on March 14, 2022 (and most recently extended on May 4, 2023) in connection with WBSF(TV)’s launch of ATSC 3.0 broadcast service. *See* File Nos. 0000185120 and 0000212555. On March 15, 2022, Licensee commenced ATSC 3.0 operations from WBSF(TV)’s facility, which serves as the ATSC 3.0 host for stations in the Flint, MI market, and began simulcasting its primary stream in ATSC 1.0 format on WEYI-TV, Saginaw, MI (Facility ID 72052), pursuant to Licensee’s Next Generation license (*see* File No. 0000185142) and written hosting agreement with HSH Flint (WEYI) Licensee, LLC. Additionally, Licensee began airing its *Charge!* multicast stream from the facilities of WSMH(TV), Flint, MI (Facility ID 21737) pursuant to the March 14, 2022 STA and a written hosting agreement with WSMH Licensee, LLC (“WSMH Licensee”). This request seeks an extension of STA to allow WBSF(TV) to continue the multicast hosting arrangement for the broadcast of its *Charge!* multicast stream from the facilities of WSMH(TV) in ATSC 1.0 format.

As explained in Licensee’s original request for STA, WBSF(TV) is not able to air its multicast streams on WEYI-TV, its primary ATSC 1.0 simulcast host, due to ATSC 1.0 capacity constraints. 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 WBSF(TV)’s multicast stream 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. Absent an extension of STA authorizing WBSF(TV) to air its multicast stream using the facilities of WSMH(TV), all over-the-air viewers would lose access to an ATSC 1.0 signal of WBSF(TV)’s multicast stream. Although Licensee has agreed to indemnify WSMH Licensee from and against all liabilities or claims resulting from or arising out of the programming and advertising broadcast on Licensee’s program stream using the facilities of WSMH(TV) (as applicable), Licensee is requesting extension of the STA to make clear that Licensee will remain responsible for the *Charge!* stream’s compliance with the Communications Act and the Commission’s rules and regulations.

WBSF(TV) is airing fewer programming streams on ATSC 1.0 host stations than it previously aired in ATSC 1.0 from its own facility (and such programming streams are airing in the same resolutions as they did prior to WBSF(TV)’s transition to ATSC 3.0). It therefore is not using more capacity on the ATSC 1.0 host stations, in the aggregate, than it would have been able to use on its own facilities if it were still broadcasting in the ATSC 1.0 format. The PSIP (virtual) channels for each of WBSF(TV)’s program streams have remained unchanged and continue to be identified as associated with WBSF(TV). WSMH(TV) is licensed to the same DMA as WBSF(TV), and the service contour of WSMH(TV) covers a majority (95%) of the service area population that was covered by WBSF(TV)’s ATSC 1.0 facilities.

As such, Licensee respectfully requests extension of the STA. Grant of this STA extension will serve the public interest because it would advance the Commission’s ATSC 3.0 policy goals while preserving WBSF(TV)’s ability to air its programming stream in the ATSC 1.0 format and ensure access to the programming currently received for most over-the-air viewers. It will also

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continue to make clear that WBSF(TV) is an authorized user of a portion of WSMH(TV)'s channel and is the party responsible for ensuring compliance with the Communications Act and the Commission's rules and regulations.

The hosting arrangements described herein are depicted in the chart below.

| WBSF(TV)<br>Stream and Virtual<br>Channel | Pre-Relocation<br>ATSC 1.0 RF<br>Channel and<br>Resolution | Post-Relocation<br>ATSC 1.0<br>RF Channel and<br>Resolution | ATSC 1.0 Host<br>Station | Simulcast in ATSC<br>3.0? |
|---|--|---|--------------------------|---------------------------|
| CW<br>(Primary)<br>46.1                   | 23.3<br>1080i  | 18.4<br>1080i   | WEYI-TV                  | Yes                       |
| Charge!<br>46.3                           | 23.5<br>480i   | 16.7<br>480i  | WSMH(TV)                 | No                        |