

WLS Television, Inc. (“WLS Television”), licensee of digital television station WLS-TV, Chicago, Illinois (“WLS”), respectfully requests a thirty-day extension of its current engineering special temporary authority (“STA”)¹ to enable it to broadcast on channel 7 in Chicago, Illinois (“Channel 7 Facility”) until April 24, 2103 if such broadcasts are necessitated by adverse weather conditions. As explained herein, WLS Television has commenced broadcasts with the Permanent Channel 44 Facility (as defined herein) and, thus, no longer requires the Channel 7 Facility to serve its viewers on an ongoing and daily basis. Nevertheless, to the extent the Permanent Channel 44 Facility becomes unavailable over the next thirty days due to weather conditions, it may be necessary to rely temporarily on the Channel 7 Facility in order to serve those portions of its viewing area that cannot otherwise receive an over-the-air signal from WLS’s channel 44 auxiliary facilities. Importantly, because WLS has transitioned to the Permanent Channel 44 Facility and worked with its viewers to ensure a smooth transition, WLS has no plans to broadcast from channel 7 on an ongoing basis but rather will use the Channel 7 Facility solely as necessary as a result of severe weather conditions as described herein. Accordingly, for the reasons set forth herein, grant of the instant request is necessary and in the public interest.

WLS has served the Chicago, Illinois area on channel 7 for over sixty years pursuant to authorizations issued by the FCC. Following the digital television (“DTV”) transition, however, it became abundantly apparent that WLS’s post-transition operations on channel 7 did not enable WLS to serve many of its former over-the-air analog viewers, especially those viewers living in densely populated urban areas. Thus, WLS ultimately obtained approval to substitute its channel 7 digital allotment with digital channel 44 at Chicago, Illinois, and the FCC granted WLS a construction permit for full-power DTV facilities at Willis Tower on channel 44 at 1000 kW ERP at 518 m HAAT (“Permanent Channel 44 Facility”).² WLS completed construction of the Permanent Channel 44 Facility in October 2012. The Permanent Channel 44 Facility was licensed by the FCC in late 2012.³

WLS has been operating the Permanent Channel 44 Facility since late last fall and has been able to confirm that the Permanent Channel 44 Facility provides reliable over-the-air service to the majority of its former analog viewing area. Accordingly, in March 2013, WLS implemented a viewer outreach campaign to inform its viewers that, as of March 18, 2013, it no longer would broadcast on channel 7 and, instead, would broadcast only on channel 44.⁴

¹ See FCC File No. BDSTA-20110912AAD, as extended by BEDSTA-20120306ABE and BEDSTA-201220120921ACG.

² See FCC File No. BMPCDT-20110331ABW.

³ See FCC File No. BLCDDT-20121016ABX (granted Nov. 26, 2012).

⁴ Specifically, the outreach campaign encouraged viewers to run the scan function on the equipment they use to receive over-the-air digital signals to reflect that WLS’s channel has changed from channel 7 to channel 44. The “re-scan” campaign consisted of both the broadcast of advertising spots in the programming aired on WLS and news stories encouraging viewers to re-scan their equipment, and expressly targeted those viewers who rely on free, over-the-air television service to receive news and safety information.

Following the viewer outreach campaign, on March 18, 2013, WLS ceased broadcasts with the Channel 7 Facility. In anticipation of this occurrence, WLS staffed a call center to enable channel 7 viewers to telephone the station to report any difficulties with receiving an over-the-air signal from the Permanent Channel 44 facility and to receive assistance with resolving such problems. WLS received a number of phone calls, and has been working with its viewers to assist them in re-scanning their equipment. Overall, however, the re-scan campaign has been successful and WLS does not anticipate that it will be required to reinstitute service with the Channel 7 Facility in the future.

The weather in the Chicago area has been very challenging this winter. Earlier in the week, for example, WLS was forced to switch temporarily its channel 44 operations from its Permanent Channel 44 Facility to use of one of its auxiliary facilities due to the accumulation of ice on the antenna system of the Permanent Channel 44 Facility.⁵ Since severe weather conditions (including ice and harsh winds) in Chicago often extend through April, it is possible that severe weather again this winter may force WLS to switch from the Permanent Channel 44 Facility to either of its channel 44 auxiliary facilities (“Channel 44 Aux Facilities”).⁶ Accordingly, until the end of winter in Chicago, there is a risk that WLS will be required to rely temporarily on either of the Channel 44 Aux Facilities in lieu of the Permanent Channel 44 Facility.

The Channel 44 Aux Facilities operate at different technical parameters than the Permanent Channel 44 Facility. As a result, the Channel 44 Aux Facilities do not serve all of the former WLS analog over-the-air viewing area. However, when the Channel 7 Facility is used, WLS is able to continue to provide over-the-air service to certain of those analog viewers that have difficulty receiving service from the Channel 44 Aux Facilities. In the absence of the “fill-in” service provided by the Channel 7 Facility at Willis Tower, certain of the aforementioned viewers may not be able to receive an over-the-air signal from WLS in the event that it is required to operate with either of the Channel 44 Aux Facilities on a temporary and short-term basis for the reasons described herein. In such event, WLS would like to employ the Channel 7 Facility on a short-term, temporary basis to fill-in gaps in coverage resulting from the switch to either of the Channel 44 Aux Facilities until such time that WLS can switch back to the Permanent Channel 44 Facility.

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⁵ Due to the harsh weather conditions in Chicago, since WLS initiated operation with the Permanent Channel 44 Facility late last year WLS has not been able to install a radome on the antenna system and thus the antenna system is vulnerable to ice buildup during severe weather conditions. WLS will not be able to install the radon until weather conditions permit this spring or summer. Until then, WLS’s ability to operate continuously with the Permanent Channel 44 Facility may continue to be compromised by severe weather conditions, such as the ice buildup on the antenna system experienced earlier in the week.

⁶ See FCC File No. BXPCDT-20130201ACE (auxiliary facility at Willis Tower). See FCC File No. BXCPDT- 20130124AEC (auxiliary facility at John Hancock Building).

For the reasons set forth herein, WLS Television respectfully requests a thirty day extension – until April 24, 2013, of its current STA for the Channel 7 Facility at Willis Tower as described herein.