



Federal Communications Commission
Washington, D.C. 20554

June 25, 2015

Locuspoint WDVb Licensee, LLC
6200 Stoneridge Mall Road
Suite 300
Pleasanton, CA 94588

RE: Petition for Eligible Entity Status, LocusPoint WDVb Licensee, LLC, Station WDVb-CD, Facility ID No. 168834, FCC File No. BLDTA-20120227ABY.

Dear Licensee:

This is with respect to the Petition for Eligible Entity Status ("Petition") filed on June 15, 2015, by LocusPoint WDVb Licensee, LLC, ("Licensee"), licensee of Station WDVb-CD, Edison, New Jersey ("Station").¹ The Petition requests that the Station be deemed an "eligible facility" for purposes of the incentive auction. On June 19, 2015, the Commission released the *Incentive Auction Second R&O* and on reconsideration exercised its discretion to extend protection to Class A stations that "had an application for a Class A construction permit pending or granted as of February 22, 2012."² Although WDVb-CD did not file an application to convert its licensed low power television facility to Class A status until February 27, 2012,³ it was granted a Class A construction permit prior to February 22, 2012.⁴

Accordingly, we **GRANT** the Petition for Eligible Entity Status filed by LocusPoint WDVb Licensee, LLC. For purposes of the incentive auction, Station WDVb-CD will be deemed an "eligible facility" and is thereby eligible for protection in the repacking process and relinquishment in the reverse auction.⁵ Furthermore, the Licensee **MUST FILE** its Pre-Auction Technical Certification Form (FCC Form 2100, Schedule 381) for its eligible facility by **July 9, 2015**.⁶

¹ Petition for Eligible Entity Status for WDVb-CD, Edison, NJ filed by LocusPoint WDVb Licensee, LLC (Jun. 15, 2015).

² *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, Second Report and Order on Reconsideration, FCC 15-69, para. 69 (rel. Jun. 19, 2015). In deciding to extend discretionary protection the Commission reasoned that there are "significant equities in favor of protecting [such] stations that outweigh the limited adverse impact on [the Commission's] repacking flexibility." *Id.*

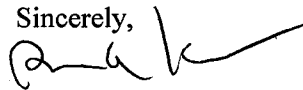
³ File No. BLDTA-20120227ABY (granted Mar. 19, 2012, converting licensed low power television facility, File No. BLDTL-20110113ABM, to Class A status)

⁴ File Nos. BLTTA-20010829AAI (granted Dec. 24, 2002, converting LPTV construction permit, File No. BPTTL-20020425ABB, to Class A status)

⁵ This will be reflected in the final baseline to be released by the Office of Engineering and Technology ("OET") containing the final list of eligible stations. *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, Report and Order, 29 FCC Rcd 6567, 6635, para. 145 (2014)(directing OET to release a detailed summary of baseline coverage area and population served by each television station to be protected in the repacking process).

⁶ *Media Bureau Announces Incentive Auction Eligible Facilities and July 9, 2015 Deadline for Filing Pre-Auction Technical Certification Form*, Public Notice, DA 15-679, p. 4 (rel. Jun. 9, 2015)(stating that upon grant of a Petition for Eligible Entity Status the Media Bureau will notify the petitioner of the date by which it must file its Pre-Auction Technical Certification Form).

Sincerely,



Barbara A. Kreisman
Chief, Video Division
Media Bureau

cc (by electronic mail):

Jonathan V. Cohen, Esq.
Rosemary C. Harold, Esq.
Ravi Potharlanka