



Federal Communications Commission  
Washington, D.C. 20554

November 20, 2017

Good Life Broadcasting, Inc.  
31 Skyline Drive  
Lake Mary, FL 32746

Re: Request for Waiver of Deadline to  
Implement Shared Channel Operations  
WTGL, Leesburg, FL  
Facility ID No. 9881  
LMS File No. 0000035440

Dear Licensee,

On November 16, 2017, Good Life Broadcasting, Inc. (Good Life), submitted the above-captioned request for waiver for television station WTGL, Leesburg, Florida (Station) of the January 23, 2018, deadline for incentive auction winning channel sharing stations to implement shared channel operations and discontinue operations on their pre-auction channels (channel sharing implementation deadline).<sup>1</sup> For the reasons set forth below, we grant the request for waiver and extend the channel sharing implementation deadline to April 23, 2018.

*Background.* The Commission instructed that channel sharing stations<sup>2</sup> must implement shared channel operations, and a sharee station must discontinue operations on its pre-auction channel by January 23, 2018.<sup>3</sup> A channel sharee may request an additional 90 days to discontinue operations on its pre-auction channel and commence shared operations by requesting a waiver pursuant to Section 1.3 of the Commission's rules.<sup>4</sup>

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<sup>1</sup> See *Incentive Auction Closing and Channel Reassignment Public Notice: The Broadcast Television Incentive Auction Closes; Reverse Auction and Forward Auction Results Announced; Final Television Band Channel Assignments Announced; Post-Auction Deadlines Announced*, Public Notice, 32 FCC Rcd 2786, 2813, para. 76 (MB & WTB 2017) (*Closing and Channel Reassignment Public Notice*); see also *Incentive Auction Task Force and Media Bureau Announce Procedures for the Post-Incentive Auction Broadcast Transition*, Public Notice, 32 FCC Rcd 858, 879, para. 63 (IATF & MB 2017) (*Broadcast Transition Procedures Public Notice*); 47 CFR §§ 73.3700(b)(3), 73.3700(b)(4)(ii).

<sup>2</sup> Absent any contrary information from the station, any station that indicated it had a pre-auction channel sharing agreement (CSA) and/or an intent to channel share on its reverse auction FCC Form 177 is considered a channel sharee station until the station fails to meet or requests a waiver of the channel sharing application filing deadline.

<sup>3</sup> See *Closing and Channel Reassignment Public Notice*, 32 FCC Rcd at 2813, para. 76; *Broadcast Transition Procedures Public Notice*, 32 FCC Rcd at 879, para. 63; 47 CFR §§ 73.3700(b)(3), 73.3700(b)(4)(ii). As noted previously, some of the post incentive auction transition-related deadlines set forth in the Commission's rules are referred to in months. For the sake of clarity and to provide greater ease of calculation, the Media Bureau refers to such deadlines in days. For example, a "6-month" deadline is referred to as a "180-day" deadline. See *Broadcast Transition Procedures Public Notice*, 32 FCC Rcd at 860 n.18.

<sup>4</sup> See *Closing and Channel Reassignment Public Notice*, 32 FCC Rcd at 2814, para. 81; *Broadcast Transition Procedures Public Notice*, 32 FCC Rcd at 881, para. 69. Channel sharee stations may request an additional 90 days (for a total of 180 additional days) using the same procedure. *Id.*

A waiver is appropriate where the particular facts would make strict compliance inconsistent with the public interest and deviation from the general rule would relieve hardship, promote equity, or produce a more effective implementation of overall policy on an individual basis.<sup>5</sup> All such requests for waiver of the deadline to commence shared operations will be evaluated to determine whether grant will delay or disrupt the post-auction transition schedule.<sup>6</sup>

In support of its waiver request, Good Life notes that Station was a successful relinquishment bidder in Auction 1001, and that Station will channel share WUCF, Orlando, Florida. Good Life it is working diligently to implement the CSA with necessary equipment ordered and related technical planning underway. Because of the time that passed while the parties negotiated and finalized the CSA, Good Life represents that the equipment delivery times and technical work to be performed will come after the new year, and in some cases too close to the January 23, 2018 deadline to ensure thorough equipment installation and testing in accordance with manufacturer instructions, or adequate contingency planning in the event problems are encountered. Good Life argues that this potential uncertainty risks confusing or losing WTGL viewers amid the transition in the event WTGL ceases operation on its current channel but has not yet commenced shared channel operations because of construction overruns. In an abundance of caution given the circumstances, and to ensure that required notices can be properly planned and given to viewers and MVPDs with absolute certainty that WTGL will, in fact, be transitioning to the shared channel by a specific date, Good Life seeks a 90-day waiver, until April 23, 2018, to continue operation on its pre-auction channel.

Good Life further argues that grant of the waiver will not delay implementation of the repacking of the television band. Good Life notes that the earliest date for testing by stations in the FCC's repack transition schedule is in September of 2018, well after the requested implementation deadline. Thus, Good Life concludes, there should be no adverse impact on the transition from the requested extension. In addition, Good Life notes it has received written confirmation from T-Mobile that a 90-day waiver of Station's operation on channel 46 will not conflict with the buildout of new licenses held by T-Mobile in the Orlando market.

*Discussion.* Upon review of the facts and circumstances presented, we find Good Life's request to extend the channel sharing implementation deadline until April 23, 2018, satisfies the requirements for a waiver. In this case, we find that it would be inconsistent with the public interest to require Good Life to implement its shared channel operations by the January 23, 2018 deadline. Good Life has demonstrated that additional time is needed to implement its shared operations. Further, given that the testing period start date for transition phase 1 is not set to begin until September 14, 2018,<sup>7</sup> we find that waiver of the channel sharing implementation deadline will not adversely impact the post-incentive auction transition schedule. Finally, Good Life has received confirmation from T-Mobile that Station's continued operation on its pre-auction channel will not impact T-Mobile's use of its 600 MHz licenses.

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<sup>5</sup> See *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) and *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1072 (1972); 47 CFR § 1.3 (waiver for good cause shown).

<sup>6</sup> *Id.*

<sup>7</sup> See *Closing and Channel Reassignment Public Notice*, 32 FCC Rcd at 2806, para. 64.

The above facts considered, Good Life Broadcasting, Inc.'s request for waiver of the January 23, 2018 deadline to implement shared channel operations for WTGL, Leesburg, Florida, and to discontinue operations on its pre-auction channel **IS GRANTED** and the January 23, 2018 deadline **IS EXTENDED** for 90 days until April 23, 2018.

Sincerely,

A handwritten signature in black ink, appearing to read 'B A Kreisman', with a long horizontal flourish extending to the right.

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

cc: Joseph C. Chautin , III, Esq.