



Federal Communications Commission  
Washington, D.C. 20554

April 18, 2019

HC2 Station Group, Inc.  
450 Park Avenue  
30<sup>th</sup> Floor  
New York, NY 10022

Re: Request for Waiver of  
Post-Incentive Auction  
Consumer Education Requirements  
KSKJ-CD, Van Nuys, CA  
Facility ID No. 36717  
LMS File No. 0000068565

Dear Licensee,

HC2 Station Group, Inc. (HC2) has submitted the above-referenced request for waiver for KSKJ-CD, Van Nuys, California (the Station), of the post-incentive auction consumer education requirements.<sup>1</sup> For the reasons set forth below, we grant the request for waiver.

*Background.* Pursuant to section 73.3700(c)(3) of the Commission's rules (Rules), repacked stations must air sixty (60) seconds per day of on-air crawls or public service announcements (PSAs) beginning 30-days prior to discontinuing operations on their pre-auction channel.<sup>2</sup> In the *Closing and Channel Reassignment Public Notice*,<sup>3</sup> the Station was assigned to transition phase 2, which has a testing period start date of December 1, 2018 and phase completion date of April 12, 2019.

On March 18, 2019, HC2 filed a request for waiver with respect to the post-incentive auction viewer notification requirements, explaining that it was unable to install the insertion equipment which was needed in order to insert the required announcements into the program stream, and therefore the Station was unable to air the required public information announcements as required by the Commission's rules. HC2 reported that in an effort to use alternative means to notify viewers, KSKJ-CD posted on its website a link directing viewers to follow in order to rescan their television to the post-transition channel. On March 29, 2019, HC2 amended its request to inform the Commission that the Station temporarily ceased broadcast operations. HC2 went on to explain that the Station undertook or was planning to undertake the following efforts to ensure broad dissemination to notify viewers in the market: (1) posting a banner announcement on the front page of its website notifying viewers of the Station's current channel and directing viewers to rescan their televisions to the post-transition channel; (2) purchasing a 30-second radio advertisement with 21 runs through iHeart Radio stations in the market to provide viewer notification of the station transition in the Van Nuys market, which includes Los Angeles listeners; and (3) purchasing a newspaper advertisement in the *Los Angeles Daily news*.

---

<sup>1</sup> 47 CFR § 73.3700(c)(3).

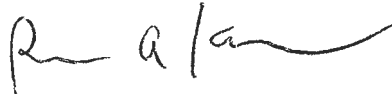
<sup>2</sup> *Id.*

<sup>3</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 Red 2786 (MB & WTB 2017) (*Closing and Channel Reassignment Public Notice*).

*Discussion.* Upon review of the facts and circumstances presented, we find that grant of HC2's request for waiver is in the public interest. 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>4</sup> Given the facts and circumstances, including efforts undertaken by the Station to ensure its viewers were notified of its channel change prior to and following its transition, we grant HC2's waiver request.

Accordingly, HC2 Station Group, Inc.'s request for waiver of the post-incentive auction consumer education requirements, 47 CFR § 73.3700(c)(3), for KSKJ-CD, Van Nuys, California, **IS GRANTED.**

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara A. Kreisman', with a stylized flourish at the end.

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

cc:

Paul A. Cicelski, Esq.

Rebecca Hanson, Esq.

---

<sup>4</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).