



Federal Communications Commission
Washington, D.C. 20554

April 6, 2018

DA 18-343
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ION Media Sacramento License, Inc.
Michael S. Hubner
810 Seventh Avenue
31st Floor
New York, NY 10019

Re: Modification of Phase Assignment
KSPX-TV, Sacramento, CA
Facility ID No. 52953
LMS File No. 0000030649

Dear Licensee,

This letter is to inform you that the transition phase assignment for full power television station KSPX-TV, Sacramento, California (KSPX-TV or Station), has been modified from Phase 8 to Phase 9.¹ On September 14, 2017, KSPX-TV filed a major modification application to have its post-auction channel changed from channel 22 to channel 21. On March 12, 2018, the application was granted and the Station was issued a construction permit for channel 21. As a condition of grant, the Commission “reserve[d] the right to change” the station’s phase assignment.² We have previously stated that any such change would be to a later and not to an earlier phase.³

The *Transition Scheduling Adoption Public Notice* prescribes that a temporary increase in pairwise (station-to-station) interference of up to two percent during the post-incentive auction transition period is permissible.⁴ Commission staff conducted a technical analysis and determined that considering the channel change application granted on March 12, 2018, if KSPX-TV were to complete its transition to its new post-auction channel during Phase 8, it would receive and cause interference in excess of the permissible threshold with full power television KMAX-TV, Sacramento, California, licensed to Sacramento Television Stations, Inc. Specifically, Commission staff found that KSPX-TV would cause 84.6 percent and receive 86.1 percent pairwise interference with KMAX-TV. Commission staff also determined that modifying KSPX-TV’s phase assignment to Phase 9 will result in the Station satisfying the interference levels permitted under the *Transition Scheduling Adoption Public Notice*. **The modification will also result in KSPX-TV and KMAX-TV being linked stations for purposes of the transition.**

¹ In the *Closing and Channel Reassignment Public Notice*, KSPX-TV was assigned to transition Phase 8, which has a testing period start date of January 18, 2020, and phase completion date of March 13, 2020. *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 (WTB & MB 2017).

² Television Broadcast Station Construction Permit available under LMS File No. 0000030649.

³ *Id.*

⁴ *Incentive Auction Task Force and Media Bureau Adopt a Post-Incentive Auction Transition Scheduling Plan*, MB Docket No. 16-306 and GN Docket No. 12-268, 32 FCC Rcd 890, para. 16 (MB 2017).

Accordingly, the transition phase assignment for KSPX-TV is **MODIFIED from Phase 8 to Phase 9**. The Station **may not commence** testing on its post-auction channel **until 12:01 a.m. on March 14, 2020**, and **must discontinue operation** on its pre-auction channel **by 11:59 p.m. on May 1, 2020**. KSPX-TV is a linked station and must coordinate commencement of testing and operations on its post-auction channel with KMAX-TV. The Station's construction permit expiration date will be modified to correspond to this change in phase assignment.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau