



# PUBLIC NOTICE

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## INCENTIVE AUCTION TASK FORCE AND MEDIA BUREAU ANNOUNCE A 90-DAY PERIOD FROM MAY 1 THROUGH JULY 30, 2018, FOR BROADCAST STATION APPLICANTS TO RESOLVE THEIR MUTUAL EXCLUSIVITY

**MB Docket No. 16-306**  
**GN Docket No. 12-268**

1. By this Public Notice the Media Bureau and Incentive Auction Task Force announce a 90-day period ending July 30, 2018, for the full power and Class A broadcast station applicants listed in Appendix A to resolve their mutual exclusivity by proposing a technical solution or settlement.<sup>1</sup>

2. Upon conclusion of the incentive auction (Auction 1000), the Federal Communications Commission (Commission) initiated a transition process during which the facilities of broadcast television stations that received new channel assignments in the post-incentive auction repacking process will be reauthorized and relicensed.<sup>2</sup> As directed by the Commission, this transition process included two filing windows for eligible full power and Class A stations to file for alternate channels and expanded facilities.<sup>3</sup> These filing windows are now closed,<sup>4</sup> and the staff has completed initial processing of all of the applications filed in the windows. The applications listed in Appendix A are not currently grantable due to the mutual exclusivity identified.

3. During this period, applicants listed in Appendix A may submit either engineering amendments to unilaterally resolve their mutual exclusivity or settlements, including negotiated

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<sup>1</sup> See *Incentive Auction Task Force and Media Bureau Announce Procedures for the Post-Incentive Auction Broadcast Transition*, Public Notice, 32 FCC Rcd 858, 870, para. 36 (2017).

<sup>2</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 (2017) (*Closing and Channel Reassignment Public Notice*).

<sup>3</sup> See *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, 29 FCC Rcd 6567, 6795, para. 556 (2014) (subsequent citations omitted); *id.* at 6794, paras. 554-55.

<sup>4</sup> *Incentive Auction Task Force and Media Bureau Announce the Opening of the First Priority Filing Window for Eligible Full Power and Class A Television Stations from August 9 Through September 8, 2017*, Public Notice, 32 FCC Rcd 5785 (2017); *Incentive Auction Task Force and Media Bureau Extend the Filing Deadline for the First Priority Filing Window for Eligible Full Power and Class A Television Stations*, Public Notice, 32 FCC Rcd 6827 (2017); *Incentive Auction Task Force and Media Bureau Announce the Opening of the Second Filing Window for Eligible Full Power and Class A Television Stations—October 3 Through November 2, 2017*, Public Notice, 32 FCC Rcd 6989 (2017).

engineering solutions, to resolve their mutual exclusivity. Any proposed settlements or other resolutions will be subject to the rules and limits on agreements for removing application conflicts.<sup>5</sup>

4. Proposals to resolve mutually exclusivity must be submitted as amendments to pending applications via LMS and must not create new mutual exclusivity or application conflicts. Following the close of the settlement period on July 30, 2018, the staff will dismiss all applications whose mutual exclusivity has not been resolved.<sup>6</sup> We emphasize that all stations reassigned to new channels are subject to the applicable phase transition deadline the Commission has imposed on the station.

5. **Additional Information.** For additional information, contact Joyce Bernstein, [Joyce.Bernstein@fcc.gov](mailto:Joyce.Bernstein@fcc.gov), (202) 418-1647, or Kevin Harding, [Kevin.Harding@fcc.gov](mailto:Kevin.Harding@fcc.gov), (202) 418-7077. Press contact: Charles Meisch, [Charles.Meisch@fcc.gov](mailto:Charles.Meisch@fcc.gov), (202) 418-2943.

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<sup>5</sup> See 47 U.S.C. § 311(c); 47 CFR § 73.3525.

<sup>6</sup> See 47 CFR § 73.623(h)(3).