MEDIA BUREAU REMINDS LOW POWER TELEVISION AND TELEVISION TRANSLATOR STATIONS OF JULY 13, 2021, DIGITAL TRANSITION DATE

The Media Bureau (Bureau), by this Public Notice, reminds all low power television and television translator stations (LPTV/translator stations) that only one year remains until the July 13, 2021, digital transition date when stations must terminate all analog television operations. The Bureau also provides helpful information concerning the procedures that LPTV/translator stations must follow to complete their digital transition, if they have not already done so.

Digital Transition Date: July 13, 2021

By 11:59 p.m. local time on July 13, 2021, all LPTV/translator stations must terminate all analog television operations regardless of whether their digital facilities are operational. As the Commission stated in the LPTV DTV Third R&O, although the digital transition deadline is still a year away, stations “are encouraged to complete their transition to digital as soon as feasible.” The digital transition date is a hard deadline – no extensions or continuation of analog operations will be permitted. Stations that have not yet constructed a digital facility must cease analog television operations no later than July 13, 2021, and remain silent until construction is completed. If a station goes silent prior to completing construction of its digital facility, it may file a request for silent authority.

Final Digital Extensions Due No Later Than March 13, 2021

In addition to ceasing analog operations by the digital transition date, transitioning LPTV/translator stations that experience delays in completing their digital facilities may seek one last extension of time of their digital construction permits, of not more than 180 days, to be filed no later than March 13, 2021, which is four months prior to the July 13, 2021, transition date. An application for

1 See 47 CFR § 74.731(m); see also Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power Television and Television Translator Stations, MB Docket No. 03-185, Third Report and Order and Fourth Notice of Proposed Rulemaking, 30 FCC Rcd 14927, 14932-33, para. 9 (2015) (LPTV DTV Third R&O). In that decision, the Commission extended the LPTV digital transition date until 12 months following the completion of the 39-month post-Incentive Auction transition period or 51 months from the completion of the Incentive Auction and the release of the Closing and Channel Reassignment Public Notice. Id. 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 (IATF and MB 2018) (Closing and Channel Reassignment Public Notice). Given the April 13, 2017 release date of the Closing and Channel Reassignment Public Notice, the LPTV digital transition date is July 13, 2021.


3 Id.

4 See 47 CFR § 74.788(c)(3). We note that the digital transition date adopted in the LPTV DTV Third R&O applies to (1) digital construction permits held by analog LPTV/translator stations transitioning to digital; and (2) construction permits for new digital LPTV/translator stations. The digital transition date does not apply to construction permits to modify already licensed digital LPTV/translator stations or to construction permits for
extension of time to construct must include an exhibit demonstrating that failure to meet the construction deadline is due to circumstances that are either unforeseeable or beyond the licensee’s control and that the licensee has taken all reasonable steps to resolve the problem expeditiously. Such circumstances include, but are not limited to: (1) delays in obtaining zoning or other approvals, or similar constraints; (2) inability to obtain equipment; or (3) financial hardship. The grant of an extension of time to complete digital construction will in no way extend the July 13, 2021, deadline by which a station must terminate analog television operations. Instructions for filing an extension application are included in the Appendix.

After March 13, 2021, additional time to construct may be sought only pursuant to the Commission’s “tolling” rule. The tolling rule provides that a construction permit deadline may be tolled only for specific circumstances not under the licensee’s control, such as acts of God or delays due to administrative or judicial review.

**Transition Related Technical Filings Should Be Filed No Later Than May 1, 2021**

To ensure that LPTV/translator stations are not delayed in completing their digital transition by the July 13, 2021, transition deadline, we recommend that stations requiring last-minute technical changes submit any required applications or filings (minor change, request for special temporary authority, etc.) no later than May 1, 2021, to allow sufficient time for staff processing.

**Filing Deadline For Digital-to-Digital Replacement Translators: July 13, 2021**

In the LPTV DTV Third R&O, the Commission established a new digital-to-digital replacement translator (DTDRT) service to allow eligible full power television stations to recover lost digital service area that could result from the Incentive Auction repacking process. The Commission concluded that full power stations may file for DTDRTs beginning with the opening of the post-Incentive Auction Special Displacement Window and ending one year after completion of the post-Incentive Auction transition period. Accordingly, we remind interested full power stations that DTDRT applications must be filed not later than July 13, 2021.

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1. Federal Communications Commission DA 20-724
2. Extension of time to construct must include an exhibit demonstrating that failure to meet the construction deadline is due to circumstances that are either unforeseeable or beyond the licensee’s control and that the licensee has taken all reasonable steps to resolve the problem expeditiously. Such circumstances include, but are not limited to: (1) delays in obtaining zoning or other approvals, or similar constraints; (2) inability to obtain equipment; or (3) financial hardship. The grant of an extension of time to complete digital construction will in no way extend the July 13, 2021, deadline by which a station must terminate analog television operations. Instructions for filing an extension application are included in the Appendix.
3. After March 13, 2021, additional time to construct may be sought only pursuant to the Commission’s “tolling” rule. The tolling rule provides that a construction permit deadline may be tolled only for specific circumstances not under the licensee’s control, such as acts of God or delays due to administrative or judicial review.
4. Transition Related Technical Filings Should Be Filed No Later Than May 1, 2021
5. To ensure that LPTV/translator stations are not delayed in completing their digital transition by the July 13, 2021, transition deadline, we recommend that stations requiring last-minute technical changes submit any required applications or filings (minor change, request for special temporary authority, etc.) no later than May 1, 2021, to allow sufficient time for staff processing.
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Requests For Silent Authority

We remind stations that a station may suspend operations for a period of not more than 30 days absent specific authority from the Commission.\(^{11}\) Stations that remain silent for more than 10 days must notify the Commission not later than the tenth day of their suspended operations by filing a Suspension of Operations Notification via LMS as outlined in the Appendix.\(^{12}\) Stations that need to remain silent for more than 30 days must file a Silent STA via LMS as outlined in the Appendix. There is no fee for this filing.

We also remind stations that the license of any station that remains silent for any consecutive 12-month period expires automatically at the end of that period, by operation of law, except that the Commission may extend or reinstate such station license if the holder of the license prevails in an administrative or judicial appeal, the applicable law changes, or for any other reason to promote equity and fairness.\(^{13}\)

Surrender of Channels

We remind LPTV/translator stations with digital companion channels that they must choose to complete their transition to digital by either (1) “flash cutting” their existing analog facility to digital (at which time their analog license will be replaced by a new digital license and the digital companion channel permit or license canceled) or (2) surrendering their analog channel and continuing to operate their digital companion channel.\(^{14}\) For stations choosing the second option, analog channels must be surrendered no later than July 13, 2021. Stations that change their transition plans are reminded that they must surrender the construction permit or license for their digital companion channel upon the grant of their application for flash cut construction permit and vice versa. No station may possess both a digital flash cut and digital companion channel construction permit.

Stations that choose not to convert to digital and instead intend to permanently discontinue operations must do so no later than July 13, 2021, and must submit their station licenses for cancellation.\(^{15}\) We note that, after July 13, 2021, all pending analog LPTV/translator construction permit applications will be dismissed, and outstanding analog construction permits will be cancelled. Stations are encouraged to amend their pending applications and modify their outstanding analog construction permits to specify digital operations as soon as possible to avoid dismissal or cancellation.

Viewer Notifications

To ensure that viewers are aware of the impending termination of analog service, stations are required to notify viewers of their planned transition to digital.\(^{16}\) Stations have the flexibility to determine the frequency, length, and content of their notifications.\(^{17}\) For those stations with the technical ability to

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\(^{11}\) See 47 CFR §§ 73.1740(a)(4) and 74.763(b).

\(^{12}\) Id.

\(^{13}\) See 47 U.S.C. § 312(g). The Commission’s rules also provide that the “license of . . . [a] TV translator or TV broadcast booster, or low power TV station will expire as a matter of law upon failure to transmit broadcast signals for any consecutive 12-month period notwithstanding any provision, term, or condition of the license to the contrary.” 47 CFR § 74.15(f). See 47 CFR § 74.763(c). See also 47 CFR §§ 73.1020(c), 73.1615(c)(2), 73.1635(a)(4), 73.1740(c), 73.1750.


\(^{15}\) Instructions for requesting cancellation of a station license are included in the Appendix.

\(^{16}\) See 47 CFR § 74.798; LPTV DTV Second R&O, 26 FCC Rcd at 10755, para. 49.

\(^{17}\) Id.
locally originate programming,\textsuperscript{18} viewer notification must be done on the air at a time when the highest number of viewers are watching.\textsuperscript{19} For those stations that lack the technical ability to locally originate programming, or conclude that airing of viewer notifications would pose a hardship, they may notify viewers by some other reasonable means.\textsuperscript{20}

\textbf{Additional Information or Questions}

We will reissue this guidance again next year as the \textbf{July 13, 2021}, transition date draws closer.

For additional information or questions, please contact Mark Colombo (technical questions), Mark.Colombo@fcc.gov, (202) 418-7611, or Shaun Maher (legal questions), Shaun.Maher@fcc.gov, (202) 418-2324, of the Video Division, Media Bureau.

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\textsuperscript{18} All stations in the low power television service are permitted to originate some amount of local programming, such as public service announcements (PSAs). \textit{See} 47 CFR \textsection 74.731(f) and (g) and 47 CFR \textsection 74.701(f). PSAs originated by TV translators are limited to 30 seconds each and may not air more than once per hour.

\textsuperscript{19} \textit{See} 47 CFR \textsection 74.798(c); \textit{LPTV DTV Second R&O}, 26 FCC Rcd at 10755, para. 49.

\textsuperscript{20} \textit{Id.} \textit{See also} 47 CFR 74.798.
APPENDIX

INSTRUCTIONS FOR ACCESSING AND FILING ON LMS

General Log-in Instructions

Access the LMS applicant data entry home page here:

https://enterpriseefiling.fcc.gov/dataentry/login.html

Login using the FRN associated with the station.

For more information and help using the LMS system, contact: (877) 480-3201 TTY: (717) 333-2824.

Request to Cancel License

1. Click on “Facility” tab on the left top of the page.
2. Click on facility ID of the station.
3. Click on “File an Application” button.
4. Select “Cancellation” from the drop-down menu.
5. Complete the application and click “Submit.”

Engineering, Legal, and Silent STAs

1. Click on “Facilities” tab on the left top of the page.
2. Click on Facility ID of the station.
3. Click on “File an Application” button.
4. Select “STA – engineering, legal or silent” from the drop-down menu.
5. Complete the application and click “Submit.”

Suspension of Operations Notification

1. Click on “Facility” tab on the left top of the page.
2. Click on facility ID of the station.
3. Click on “File an Application” button.
4. Select “Suspension of Operations Notification” from the drop-down menu.
5. Complete the application and click “Submit.”

FCC Form 2100 – Schedule 337 – Application for Extension of Time

1. Click on “Authorization” tab on the left top of the page.
2. Click on construction permit authorization.
3. Click on “File an Application” button.
4. Select “Extension of Construction Permit” from the drop-down menu.
5. Complete the application and click “Submit”

FCC Form 2100 – Schedule Tolling – Application for Tolling or Waiver of Tolling Rule

1. Click on “Authorizations” tab on the left top of the page.
2. Click on construction permit authorization.
3. Select “File an Application” button.
4. Select “Tolling” from the drop-down menu.
5. Complete the application and click “Submit.”