



PUBLIC NOTICE

Federal Communications Commission
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DA 21-1291

Released: October 14, 2021

UPDATE TO LIST OF PARTIES ELIGIBLE TO PARTICIPATE IN THE AUCTION OF CONSTRUCTION PERMITS FOR LOW POWER TELEVISION AND TV TRANSLATOR STATIONS (AUCTION 111)

AU Docket No. 21-284

1. By this Public Notice, the Office of Economics and Analytics (OEA) and the Media Bureau (MB) announce an update to one of the parties eligible to file a short-form application for MX Group 21 in Auction 111. This update reflects a recent assignment of one of the displacement relief applications in that group of mutually exclusive (MX) applications. An updated inventory of the construction permits available in this auction, and the parties eligible to bid on those permits, may be found in Attachment A to this public notice.

2. On September 21, 2021, OEA and MB released a public notice establishing the procedures to be used for Auction 111.¹ The *Auction 111 Procedures Public Notice* detailed application requirements, minimum opening bids, upfront payments, and other procedures for Auction 111. Bidding in Auction 111 is scheduled to begin on February 23, 2022. The window for submitting a short-form application to participate in Auction 111 opens at noon Eastern Time (ET) on November 1, 2021 and ends at 6:00 pm ET on November 9, 2021. Auction 111 is a closed auction; only those parties listed in Attachment A to this public notice are eligible to file applications to participate in Auction 111 and to complete the remaining steps to become qualified to bid.

3. Auction 111 will resolve groups of pending MX engineering proposals for up to 17 new or modified lower power television (LPTV) or TV translator station (collectively, LPTV/translator stations) construction permits. These MX Groups were listed in Attachment A to the *Auction 111 Procedures Public Notice*.² MX Group 21 consists of two displacement relief applications filed pursuant to a special filing window for eligible LPTV/translator stations displaced by the broadcast television spectrum incentive auction.³

4. One of the displacement relief applications in MX Group 21 was originally filed by Ventana Television, Inc. (Ventana) on March 12, 2018, and requests a channel change for LPTV station W41DO-D, Facility ID No. 60554, New York, New York (W41DO-D).⁴ Accordingly, Ventana was

¹ *Auction of Construction Permits for Low Power Television and TV Translator Stations, Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auction 111, Bidding Scheduled to Begin February 23, 2022*, AU Docket No. 21-284, Public Notice, DA 21-1176 (Sept. 21, 2021) (*Auction 111 Procedures Public Notice*).

² *Id.*, Attachment A.

³ *Id.* at 3, para. 2.

⁴ Displacement for LPTV Station Application of Ventana Television, Inc., LMS File No. 0000048498 (filed Mar. 12, 2018) and amendments (filed Apr. 19, 2018; Nov. 13, 2018; and May 30, 2018) (continued....)

listed as a party that is eligible to file a short-form application for MX Group 21 on Attachment A to the *Auction 111 Procedures Public Notice*. On March 23, 2021, MB approved an application for the assignment of W41DO-D from Ventana to Major Market Broadcasting of New York Inc. (MMBNY).⁵ That transaction was consummated on June 30, 2021. Accordingly, MMBNY is now the licensee of W41DO-D, and as such, MMBNY is eligible to seek the subject construction permit and file a short-form application for MX Group 21.⁶ Attachment A has been updated by replacing Ventana with MMBNY as the “applicant” for the W41DO-D displacement application.

5. For further information concerning this proceeding, contact the offices listed below:

Video Division, Media Bureau

Low Power Television and TV Translator broadcast service questions: Shaun Maher (Attorney) 202-418-2324 or Mark Colombo (Engineer) at (202) 418-7611

Auctions Division, Office of Economics and Analytics

Auction 111 legal questions: Lyndsey Grunewald or Scott Mackoul at (202) 418-0660

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<https://enterpriseefiling.fcc.gov/dataentry/public/tv/draftCopy.html?displayType=html&appKey=25076f9166df33c90166fc308f141541&id=25076f9166df33c90166fc308f141541&goBack=N>.

⁵ Consent to Assignment, LMS File No. 0000135994 (granted Mar. 23, 2021)

<https://enterpriseefiling.fcc.gov/dataentry/api/download/lm/authorization/25076ff377650446017783600f2f277a>.

Section 73.3572(b)(3) of the Commission’s rules allows an application for a change in the facilities of an existing station to carry the same file number, and therefore retain its processing priority, after the existing station is sold to a new owner pursuant to an FCC-approved assignment. 47 CFR § 73.3572(b)(3). In accordance with MB’s licensing and application processing practices, such an application remains in the name of the original applicant in the Commission’s Licensing and Management System (LMS), but when granted, the resulting construction permit is issued in the name of the current station licensee.

⁶ Notification of Consummation, LMS File No. 000151365 (filed July 1, 2021, accepted July 2, 2021)

<https://enterpriseefiling.fcc.gov/dataentry/views/public/consummationDraftCopy?displayType=html&appKey=25076ff37a62bcc4017a62d1c4440010&id=25076ff37a62bcc4017a62d1c4440010&goBack=N>; Shared Lower Power Television Broadcast Station License, License No. 0000158183 (granted Sept. 29, 2021)
<https://enterpriseefiling.fcc.gov/dataentry/api/download/lm/authorization/25076ff37b08eb3f017b0d03358f08fb>.