

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of )
)
Amendment of Part 11 of the Commission's Rules ) PS Docket No. 15-94
Regarding the Emergency Alert System )

ORDER

Adopted: March 19, 2026

Released: March 19, 2026

By the Chief, Public Safety and Homeland Security Bureau:

I. INTRODUCTION

1. In this Order, the Public Safety and Homeland Security Bureau (Bureau) considers a request filed by the Grand Valley State University (GVSU) seeking a limited waiver of the Commission's rule addressing operational readiness for Emergency Alert System (EAS) equipment as applied to two broadcast radio stations (WGVU-FM and WGVS-FM) and two broadcast television stations (WGVU-TV and WGVK) that GVSU seeks to relocate to new facilities. For the reasons discussed herein, the Bureau grants the request.

II. BACKGROUND

2. The EAS is a national system used to disseminate public warnings of impending emergencies over broadcast, cable, and satellite networks to consumers' radios, televisions, and other audio and video devices.1 EAS Participants are required to have devices installed and capable of sending and receiving EAS tests and messages.2 In particular, section 11.35 of the FCC's rules requires EAS Participants to ensure that their EAS equipment is "installed so that the monitoring and transmitting functions are available during the times the stations and systems are in operation."3

3. GVSU holds licenses for broadcast radio stations WGVU-FM and WGVS-FM and broadcast TV stations WGVU-TV and WGVK, which are all EAS Participants.4 On March 10, 2026, GVSU filed a petition seeking a waiver of the Commission's EAS equipment rules to allow the relocation of these stations' EAS equipment from its current location to three different campus locations on Wednesday, March 25, 2026, at 10 AM EDT.5 GVSU seeks to relocate the EAS equipment because the building that currently houses it "will be renovated beginning in June of this year in a project expected to

1 See 47 CFR § 11.1 (indicating that EAS can be used by State and local governments as a means of emergency communication with the public).

2 See, e.g., 47 CFR § 11.2(b) (defining "EAS Participants"); 47 CFR §§ 11.11(a) (summarizing EAS encoder and decoder requirements for broadcasters); 11.52(a) (requiring EAS Participants to be capable of receiving the attention signal and emergency messages of other broadcast stations); 11.56(a) (requiring EAS Participants to have deployed equipment that can receive and process Common Alerting Protocol messages from the Integrated Public Alert and Warning System).

3 47 CFR § 11.35(a).

4 See Grand Valley State University – Limited Waiver of the EAS Equipment Rules, PS Docket No. 15-94 (filed Mar. 10, 2026) (GVSU Waiver Request).

5 Id. at 1. We construe GVSU's filing as a request to waive all rules, such as 11.11(a), 11.35(a), 11.52(a), and 11.56(a), that may require continuous operation of EAS equipment.

take at least thirty months.”<sup>6</sup> GVSU indicates that the short distance between the current location of the EAS equipment and the new locations ensures “that the EAS equipment will be inoperable for a very short duration of approximately one hour.”<sup>7</sup> GVSU indicates that it will “monitor the situation on the morning of the planned move to ensure that the equipment will not be moved if an emergency appears imminent or if there will be a planned EAS test on that date.”<sup>8</sup> Further, GVSU indicated that “there are no stations that depend on the Stations to relay EAS messages for their own operability.”<sup>9</sup> GVSU submits that granting this waiver is warranted because it would be unreasonable to require GVSU to purchase new EAS equipment solely for the purpose of meeting its EAS obligations during the brief relocation period.<sup>10</sup>

### III. DISCUSSION

4. A provision of the Commission’s rules “may be waived by the Commission on its own motion or on petition if good cause therefor is shown.”<sup>11</sup> The Commission may find good cause to grant a waiver “if special circumstances warrant a deviation from the general rule and such deviation will serve the public interest.”<sup>12</sup> The waiver applicant generally faces a high hurdle and must plead with particularity the facts and circumstances that warrant a waiver.<sup>13</sup> Based on the circumstances described herein, we conclude there is good cause to grant GVSU a limited waiver of the Commission’s EAS requirements to facilitate the relocation of WGUV-FM’s, WGVS-FM’s, WGUV-TV’s, and WGVK’s EAS equipment for a period not to exceed one hour on March 25, 2026. This limited waiver is conditioned on GVSU’s representation “that the equipment will not be moved if an emergency appears imminent or if there will be a planned EAS test on that date.”<sup>14</sup>

5. The Bureau finds that special circumstances exist and that it is in the public interest to grant GVSU a narrow waiver to facilitate the relocation of the EAS equipment for WGUV-FM, WGVS-FM, WGUV-TV, and WGVK. According to GVSU, it is necessary to relocate the EAS equipment since the building that houses GVSU’s broadcast administration and operations will be closed for renovations for at least thirty months.<sup>15</sup> Without a waiver, compliance with the EAS rules would require these stations to cease broadcasting until the EAS equipment was installed at their new locations.<sup>16</sup> The Bureau finds that the relocation of the equipment serves the purpose of continued EAS participation by WGUV-FM, WGVS-FM, WGUV-TV, and WGVK and that the public interest would best be served by allowing these stations to continue broadcasting to the public during the short duration of the move. Because of the limited duration of the waiver and GVSU’s assurance that the equipment will not be moved if an emergency appears imminent or if there will be a planned EAS test on that date, we conclude that the risk of harm to the public will be minimized.

---

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *See id.* at 2 (citing *Public Safety and Homeland Security Bureau Grants Limited EAS Waiver to Fort Meyers Broadcasting Company*, PS Docket No. 15-94, Order, DA 26-109 (PSHSB Feb. 3, 2026)).

<sup>11</sup> 47 CFR § 1.3.

<sup>12</sup> *See Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (citing *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969)).

<sup>13</sup> *WAIT Radio v. FCC*, 418 F.2d at 1157.

<sup>14</sup> *GVSU Waiver Request* at 1.

<sup>15</sup> *Id.*

<sup>16</sup> 47 CFR § 11.35(a) (requiring EAS Participants to ensure that their EAS devices are installed so that the monitoring and transmitting functions of the EAS devices are available during the times the stations and systems are in operation).

**IV. ORDERING CLAUSES**

6. Accordingly, IT IS ORDERED that, pursuant to sections 4(i) and (j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and (j), and section 1.3 of the Commission's rules, 47 CFR § 1.3, sections 11.11(a), 11.35(a), 11.52(a), and 11.56(a) of the Commission's rules, 47 CFR §§ 11.11(a), 11.35(a), 11.52(a), and 11.56(a), ARE WAIVED, as to stations WGVU-FM, WGVS-FM, WGVU-TV, and WGVK as specified herein.

7. This action is taken under delegated authority pursuant to Sections 0.191 and 0.392 of the Commission's rules, 47 CFR §§ 0.191, 0.392.

FEDERAL COMMUNICATIONS COMMISSION

Zenji Nakazawa  
Chief  
Public Safety and Homeland Security Bureau