



PUBLIC NOTICE

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COMMISSION SUSPENDS EXPIRATION DATES AND CONSTRUCTION DEADLINES FOR NEW DIGITAL LOW POWER TELEVISION AND TV TRANSLATOR STATIONS

Effective immediately, the expiration dates and construction deadlines for all outstanding unexpired construction permits for new digital low power television (LPTV) and TV translator stations are hereby suspended pending final action in the rulemaking proceeding in MB Docket No. 03-185 initiated today by the Commission.¹ In a *Third Notice* adopted today in MB Docket No. 03-185, we recognized that the incentive auction and repacking process will impact existing analog LPTV and TV translator stations transitioning to digital and, because of this, we tentatively concluded to postpone the September 1, 2015 digital transition date.² For similar reasons, we also tentatively concluded to extend the construction deadlines of permits for new digital LPTV and TV translator stations and proposed that these permits be subject to whatever new transition date is adopted. This proposed action would also have the effect of treating these permittees similarly to the permittees of transitioning LPTV and TV translator stations.³

We note that some new station permittees already have been granted two extensions of time to construct by the Media Bureau staff and some have filed applications requesting a third extension of time.⁴ Our action today to suspend the expiration date and construction deadlines of permits for new digital LPTV and TV translator stations will allow these permittees to forego having to continue to file extension applications. It will also conserve Commission resources by avoiding the need to address hundreds of individual extension requests pending final action in the Commission's rulemaking proceeding.⁵

¹ See *Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television, Television Translator, and Television Booster Stations*, MB Docket No. 03-185, Third Notice of Proposed Rulemaking, FCC 14-151 (rel. October 10, 2014)(*Third Notice*)

² See *Third Notice* at para. 5; see also *In the Matter of Expanding the Economic and Innovation Opportunities Through Incentive Auctions*, GN Docket No. 12-268, Report and Order, 29 FCC Rcd 6567 (2014)(*Incentive Auction Report and Order*).

³ *Third Notice* at para. 12.

⁴ The third extensions remain pending because they cannot be granted by the Media Bureau under delegated authority and must be granted by the full Commission. See *Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television, Television Translator, and Television Booster Stations and to Amend Rules for Digital Class A Television Stations*, MB Docket No. 03-185, Report and Order, 19 FCC Rcd 19331, 19388, para. 172 (2004); 47 C.F.R. § 74.788(c).

⁵ On February 20, 2014, the Advanced Television Broadcasting Alliance (ATBA) filed a Petition for Blanket Extension or Waiver in MB Docket No. 03-185 requesting that the holders of unbuilt construction permits for new digital low power television (LPTV) and TV translator stations be granted additional time to complete

For additional information or questions, please contact Shaun A. Maher of the Video Division, Media Bureau at (202) 418-2324.

Action by the Commission on October 9, 2014: Chairman Wheeler, Commissioners Clyburn, Rosenworcel, Pai, and O’Rielly.

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construction of their facilities. The Media Bureau has sought comment on ATBA’s Petition, *see Media Bureau Seeks Comment on Petition for Blanket Extension or Waiver*, MB Docket No. 03-185, Public Notice, DA 14-996 (rel. July 14, 2014), and the comments and reply comments filed in response will be addressed in the rulemaking proceeding.