



MIKE GRAVINO
DIRECTOR
(202) 604-0747

4849 CONNECTICUT AVE NW
WASHINGTON, DC 20008

LPTVCOALITION@GMAIL.COM
WWW.LPTVCOALITION.COM

April 12, 2018

Michelle Carey
Chief, FCC Media Bureau

Barbara Kreisman
Chief, Video Division

Re: REQUEST TO EXTEND SPECIAL LPTV FILING WINDOW

The LPTV Spectrum Rights Coalition (Coalition) requests an immediate extension of the LPTV special filing window for at least an additional two weeks, and preferably 30 days.

Our reasons are as follows:

1. CONFLICTING FCC GUIDANCE - At the Coalition's Sunday Rally at the the Las Vegas NAB show, a completely new guidance was given by participating FCC officials to the audience, than was given back when the Public Notice and webinar was given two months ago.
 - a. The guidance given Sunday was that if you file, and your application is rejected, you may reapply for another channel assignment as long as the window is open. This can be characterized as, "file early, and often".
 - b. The previous guidance was to let the prioritized DRTs first file, and then do market coordination, and then file late so as to not file on top of any of another to avoid an MX situation. This can be characterized as, "file late after coordination".
 - c. These are two different types of guidance, and dynamically change the type of coordination filers will have, if any at all. The impetuous to coordinate is much less with the new guidance, and it was given with less than 36 hrs from the opening of the window. All affected do not even know of this yet, only those which attended our event.

In the past few days since the new guidance was given, we have talked about an extension with a wide range of filers, communications counsel, consulting engineers, major station groups, and other associations. All have been in agreement that an extension would be best for their own clients and members, as well as the process.

2. CONFUSING AND UNCLEAR DATASETS - The datasets which are to be used by filers in the special LPTV window are not providing in practice to be understandable and to generate “objective” results. Our Coalition had warned of this and we now are seeing mass confusion about exactly which channels and 2 km squares are available. The objective-based Tableau datasets provided to generate the 2 km protected squares is not to be trusted, since a “subjective” reading of the LMS and CDBS must first be made to see what is real in those records. There is no simple check list of exactly what needs to be done to obtain a consistent and accurate result. Filers are claiming construction permits are valid from years ago even though they have a displaced channel, which is a totally subjective exercise, and not one which can easily be understood, not replicated.

Extending the filing window by 2 weeks to 30 days will not in any way at all affect the primary transition plan, not even by a day. An extension will not disadvantage any type of filer, nor will it impact any business or financing decisions, but could actually benefit them by having more certainty and precision in the filings.

Filers need the exact steps and objective data necessary to make an objective-based filing, and we need more time to do this multiple times within the window so as to avoid an MX situation. Our request to extend the LPTV special filing window is advantageous to a more equitable and fair displacement process, and one which can avoid a flawed process and the legal ramifications of that.

Respectfully submitted,

_____/signature/_____
Michael Gravino
Director