

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington DC 20554**

In re:	)	
	)	
Nexstar Broadcasting, Inc.	)	MB Docket No. 19-118
	)	
Petition for Rulemaking to Amend	)	RM-11838
the DTV Table of Allotments for	)	
Station WNLO(TV), Buffalo, New York	)	
(Facility 71905) and;	)	
	)	
WUTV Licensee, LLC	)	
	)	
Petition for Rulemaking to Amend	)	
the DTV Table of Allotments for	)	
Station WUTV(TV), Buffalo, New York	)	
(Facility 415)	)	

To: Office of the Secretary, Federal Communications Commission  
Attn: Chief, Video Division, Media Bureau

**COMMENTS AND EXPRESSION OF CONTINUED INTEREST**

WUTV Licensee, LLC (“WUTV Licensee”), by counsel, and pursuant to Sections 1.415 and 1.419 of the Commission’s Rules,<sup>1</sup> hereby submits these comments in response to the Notice of Proposed Rulemaking (the “*NPRM*”) in the above-captioned proceeding based on a Joint Petition<sup>2</sup> for Rulemaking filed by Nexstar Broadcasting, Inc. (“Nexstar”), licensee of television station WNLO(TV), channel 32, Buffalo, New York (“WNLO”), and WUTV Licensee, licensee of television station WUTV(TV), channel 36, Buffalo, New York (“WUTV”). The *NPRM* proposes to change WNLO’s digital allotment from UHF Channel 32 to UHF Channel 36 and to change WUTV’s digital allotment from UHF Channel 36 to UHF Channel 32.<sup>3</sup>

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<sup>1</sup> 47 C.F.R. §§ 1.415 and 1.419.

<sup>2</sup> See Petition for Rulemaking of Nexstar Broadcasting, Inc. and WUTV Licensee, LLC, File No. 0000064127 (filed Dec. 19, 2018) and FCC File No. 00000064271 (filed Dec. 20, 2018) (“Joint Petition”).

<sup>3</sup> *NPRM* at ¶ 1 (DA-19-316).

The parties seek to exchange the channels of WNLO and WUTV so that after the swap, WNLO would operate on channel 36 and WUTV would operate on channel 32. WUTV would continue to operate from its existing pre-auction location and WNLO would move the Nexstar shared facilities in the site previously vacated by WIVB-TV, Buffalo, New York (“WIVB-TV”).<sup>4</sup> To the extent necessary, the parties also request that the Commission waive its freezes on the filing and processing of petitions for digital channel substitutions and modification applications based on the showing of good cause included in the Joint Petition.<sup>5</sup>

WUTV Licensee continues to submit that the channel substitution serves the public interest because it will allow for a more efficient allocation of UHF television channels and will resolve significant over-the-air reception problems in WIVB-TV’s prior service area.<sup>6</sup> WUTV, meanwhile, can continue to operate from its existing transmission site on Channel 32 with no material impact to WUTV’s viewers.<sup>7</sup>

As set forth in the Joint Petition and the foregoing, WUTV Licensee strongly supports the proposed rulemaking and will promptly take the steps necessary to effectuate the channel substitutions proposed in the Joint Petition.

Respectfully submitted,

By: /s/ Paul A. Cicelski

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Dated: May 22, 2019

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<sup>4</sup> See Joint Petition at 4-5.

<sup>5</sup> *Id.* at 2.

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

<sup>7</sup> *Id.* at 5.