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By ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Re: GN Docket No. 12-268; MB Docket No. 16-306

Dear Ms. Dortch:

Univision Communications Inc. (“Univision”), which owns and operates 41 full power TV stations and 14 Class A TV stations serving Hispanic viewers across the country, supports the recent requests for the Commission to re-examine certain aspects of the post-Incentive Auction “repacking” process in light of important issues that have arisen.¹ In particular, we are concerned that stations assigned to Channel 14, such as Univision’s KWEX-DT, San Antonio, Texas,² will face serious obstacles following the “repack” that will constrain their ability to continue existing service to viewers.

KWEX-DT is a particularly important station, as the local affiliate of the leading Spanish language television network, Univision, in the seventh largest Hispanic DMA. Its local evening news is the third most-watched early newscast in that market *in any language*. Indeed, Spanish language television broadcasting in the United States was born on KWEX-DT (then KCOR) in 1955. This historic station’s half century of service to Hispanic viewers in San Antonio is now threatened by assignment to a particularly problematic channel in the post-Incentive Auction repack.

Univision understands that television stations have been assigned Channel 14 in 32 markets, including urbanized areas such as San Antonio. Unfortunately, it is well-established that stations utilizing Channel 14 face serious challenges due to adjacent land-mobile radio system (“LMRS”) facilities.³ Channel 14 is immediately adjacent to the 460-470 MHz LMRS band, and Section 73.687(e) of the FCC rules requires broadcasters to prevent interference to these operations. For broadcasters on Channel 14, these obligations create numerous challenges, including limitations of performance caused by the transmission filtering necessary to minimize

¹ See, e.g., Petition for Reconsideration of the National Association of Broadcasters, filed on March 17, 2017, and Petition for Reconsideration of ION Media Networks, Inc., filed on July 31, 2017.

² Facility ID No. 35881.

³ See Procedures for Competitive Bidding in Auction 1000, Public Notice, 30 FCC Rcd at 9101, 9105 (Med. Bur. 2015).

radiation below 470 MHz, desensitization of land mobile receivers caused by the limitations of their input filtering capabilities, and extreme difficulty in finding alternative frequencies for LMRS operations close to 470 MHz.

Univision's consulting engineers have conducted an analysis of the over 300 LMRS licensees within 20 miles of the current KWEX-DT transmitter site. They concluded that it would be nearly impossible to construct a facility for KWEX-DT on Channel 14 in its assigned phase, due to the challenges of deploying sufficient filtering to protect all of those operations. Further, the engineers concluded that it would be impossible for Univision to relocate all affected LMRS operations to new UHF frequencies, given the congestion in this area. Based on their findings, the Commission has granted KWEX-DT a waiver of the post-auction filing deadline due to its inability to construct on Channel 14.⁴ However, the station still faces the daunting task of locating an alternative channel and proposing a facility in this congested area that will replicate its long-established service to the local community. This may prove impossible without further assistance from the Commission.

Univision commends the FCC staff for the help they have provided on an ad hoc basis in locating alternative channels. In addition, we propose that the Commission adopt certain remedial measures to help stations assigned to Channel 14 resolve the significant challenges they face:

- In each special filing window, including the window currently open, the Commission should give priority status to stations assigned to Channel 14.
- The Commission should grant special temporary authority for stations assigned to Channel 14 to utilize an interim channel assignment while determining whether the resolution of interference on Channel 14 is practicable.⁵
- The Commission should waive the normal rules governing station allotments and community of license coverage in cases where such waivers would facilitate making alternative channels available to stations assigned to Channel 14.
- The Commission should adopt policies and procedures that facilitate the clearing of frequencies close to the 470 MHz band.

Ensuring that television stations currently assigned to Channel 14 are able to resolve these technical challenges is directly tied to their ability to continue to serve their communities; as such, an adjustment of the Commission's policies is both warranted and in the public interest.

Univision also urges the Commission to be proactive and closely monitor the repacking process. With nearly 1,000 stations transitioning channels, constraints on equipment, consulting

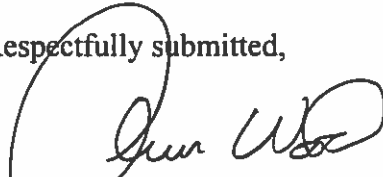
⁴ See Letter from Barbara Kreisman to KWEX License Partnership, L.P., LMS File No. 0000024880 (June 28, 2017).

⁵ See Public Notice, DA 17-107, Incentive Auction Task Force and Media Bureau Adopt a Post-Incentive Auction Transition Scheduling Plan, Released: January 27, 2017, para 54-59.

engineers and tower crews may well necessitate other regulatory changes and adjustments to the timeframe established.

Please direct any questions to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Wood", is written over a large, loopy circular flourish.

Christopher G. Wood
Senior Vice President and Associate
General Counsel

cc: Michelle Carey
Jean Kiddoo
Barbara Kreisman