

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

In the Matter of)
)
Expanding the Economic and Innovation) Docket No. 12-268
Opportunities of Spectrum Through Incentive)
Auctions)

To: The Commission

Comments of Fort Myers Broadcasting Company

Fort Myers Broadcasting Company ("FMBC") submits the following comments in support of certain proposals set out in Notice of Proposed Rulemaking Docket No. 12-268, 27 FCC Rcd. 12357 (2012)(the "NPRM").

FMBC is the licensee of Station WINK-TV, DTV Channel 50, Fort Myers, Florida. The WINK-TV post-transition facilities were rebuilt on DTV Channel 50 after the original facilities on DTV Channel 9 experienced local reception difficulties. The license application for the reconstructed WINK-TV DTV facilities was filed January 5, 2012, and was granted March 28, 2012. Throughout the time the license application was pending, WINK-TV operated on DTV Channel 50 pursuant to automatic program test authority.

FMBC supports those proposals set out in paragraph 113 of the NPRM that would maintain WINK-TV's eligibility to be repacked into the UHF spectrum following the incentive auction and supports those provisions of the NPRM that would allow reimbursement of expenses incurred by FMBC if WINK-TV is required to build its third digital transmission facility. In this connection, FMBC submits that it is impossible to know today the types of construction challenges broadcasters may face in reconstructing DTV transmission systems in response to the

television band repacking. For that reason, FMBC asks that the Commission refrain from imposing fixed construction deadlines, without adopting procedures that would accommodate reasonable requests for extensions of time to reconstruct facilities. FMBC notes that costs of reconstruction and associated requests to the government for reimbursement of expenses may be adversely impacted by the imposition of severe reconstruction deadlines.

Respectfully submitted,



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