Federal Communications Commission
Washington, D.C. 20554

August 27, 2018

NPG of California, LLC
825 Edmond Street
Saint Joseph, MO 64501

KSBB-CD, Santa Barbara, CA
Facility ID No. 60639
File No. 0000058567

Dear Licensee:

This letter is in reference to the above-captioned application for experimental authority filed by NPG of California, LLC (NPG), licensee of Class A television station KSBB-CD, Santa Barbara, California (KSBB-CD) and full power television station KEYT-TV, Santa Barbara, California (KEYT-TV) (collectively the Stations). NPG seeks experimental authority to allow KSBB-CD to transmit a Next Generation Television (Next Gen TV or ATSC 3.0) broadcast signal and to simulcast KSBB-CD's ATSC 1.0 signal over the facility and channel licensed to KEYT-TV. For the reasons below, we grant NPG's request for experimental authority under the Federal Communications Commission's (Commission) experimental rules governing product development and market trials—Sections 5.601 and 5.602 of the Commission's rules, respectively.[1]

Background. KSBB-CD operates on RF channel 17, and KETY-TV operates on RF channel 27.[2] NPG contemplates that in the future, KSBB-CD will serve as an ATSC 3.0 host for other guest ATSC 3.0 signals in the Santa Barbara-Santa Maria-San Luis Obispo, California Designated Market Area (Santa Barbara DMA). The stated objectives of NPG's application are as follows:

1. Test new business models using ATSC 3.0;
2. Develop best practices for optimizing ATSC 3.0; and
3. Provide an opportunity for real-time consumer input through the deployment of consumer devices in test locations at no cost to viewer participants.

On November 16, 2017, the Commission adopted rules authorizing the licensed transmission of the Next Gen TV broadcasting standard.[3] While certain rules became effective on February 2, 2018, the rules governing the one-step streamlined licensing process did not become effective until July 17, 2018.[4] The Media Bureau (Bureau) is in the process of making changes to its Licensing and Management System (LMS) to accommodate Next Gen TV license applications and the Bureau is not yet accepting

[1] 47 CFR §§ 5.601 and 5.602.

[2] Neither station was reassigned to a new channel following the broadcast television incentive auction.

[3] *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*, GN Docket No. 16-142, Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 9930 (2017).

[4] *See Next Gen TV Report and Order*, Final Rules, 83 Fed. Reg. 4998 (Feb. 2, 2018) and 83 Fed. Reg. 33144 (Jul. 17, 2018).

applications for Next Gen TV licenses.[5] Thus, it is appropriate for stations to continue to seek experimental authority until updates to the applications and filing process are complete.

As set forth in its application, NPG commits to transmit an ATSC 3.0 signal over KSBB-CD and air an ATSC 1.0 simulcast signal over KEYT-TV in a manner that is consistent with the rules and regulations adopted by the Commission in the *ATSC 3.0 Report and Order*.[6] In particular, NPG commits to simulcast the primary video programming stream of KSBB-CD's ATSC 3.0 signal in an ATSC 1.0 format and programming aired on its ATSC 1.0 simulcast stream will be "substantially similar." NPG states that its request complies with the Commission's ATSC 3.0 and ATSC 1.0 simulcast coverage requirements. Both KSBB-CD and KEYT-TV are located in the Santa Barbara DMA. NPG includes a contour overlap and viewer loss map with its application showing that KSBB-CD's ATSC 1.0 simulcast signal will continue to provide service to its to community of license and maintain service to 97.5 percent of KSBB-CD's predicted population within its existing service area.[7] Neither KSBB-CD nor KEYT-TV will be required to make any changes to its facility or operational parameters that would necessitate the filing of a construction permit. NPG also agrees to provide all required notifications to viewers and MVPDs. NPG states that it does not have a written simulcast agreement because the Stations are commonly owned.

Discussion. We find that the public interest will be served by facilitating the deployment of the ATSC 3.0 service in the Santa Barbara DMA and helping to advance the technical capabilities of Next Gen TV by allowing broadcasters to evaluate further the services and benefits that ATSC 3.0 service can offer consumers. NPG will comply with the requirements of the Commission's ATSC 3.0 rules, including as discussed above, compliance with the local simulcasting and coverage requirements. NPG will also provide any required notice to viewers and, if applicable, MVPDs. These actions will help ensure that viewers' access to ATSC 1.0 transmissions is preserved while deployment of ATSC 3.0 is commenced. Consistent with prior action on ATSC 3.0 experimental authorizations, because KSBB-CD and KEYT-TV are commonly owned we will not require a written simulcast agreement at this time.[8] We adopt as a condition of grant all commitments made by NPG in its application.

Accordingly, the experimental authority requested by NPG for KSBB-CD **IS GRANTED** pursuant to 47 CFR §§ 5.601 and 5.602,[9] and is subject to the following conditions.

1. KSBB-CD must transmit at least one free over the air video programming stream on its ATSC 3.0 signal. Such signal must serve the KSBB-CD's DTV noise-limited service contour.

2. Both KEYT-TV and KSBB-CD must continue to provide uninterrupted ATSC 1.0 service. KEYT-TV must provide ATSC 1.0 pursuant to its licensed parameters. KSBB-CD must provide

[5] *See Next Gen TV Rules Receive OMB Approval Media Bureau Will Announce in Future Notice When Ready to Accept Next Gen TV License Applications*, GN Docket No. 16-142, DA 18-736 (MB Jul. 17, 2018).

[6] *See* 47 CFR § 73.6029.

[7] According to NPG, KSBB-CD predicted protected contour reaches188,424 people. KEYT-TV's facility will provide predicted terrain-limited interference-free service to 183,669 persons within KSBB-CD's current protected contour. This results in a service loss of 2.5% or 4,744 persons.

[8] *See* Letter from Barbara A. Kreisman to Unimas Partnership of Phoenix, licensee of KFPH-CD, Phoenix, AZ (granted Mar. 29, 2018) available at LMS File No. 0000048791.

[9] This action is being taken by the Video Division pursuant to the authority delegated to the Media Bureau under 47 CFR § 0.61.

ATSC 1.0 service by simulating the primary video programming stream of its ATSC 3.0 channel in an ATSC 1.0 format over the facility and channel licensed to KEYT-TV for the duration of this authorization. The programming aired on KSBB-CD's ATSC 1.0 simulcast signal must be "substantially similar" to that aired on its ATSC 3.0 primary video programming stream, as defined by 47 CFR § 73.6029(b).

3. NPG must obtain Commission approval prior to moving KSBB-CD's ATSC 1.0 simulcast signal to another facility.
4. NPG must comply with the viewer and MVPD notification requirements set forth in 47 CFR §§ 73.6029(g) and (h) prior to terminating ATSC 1.0 over KSBB-CD or, following Commission approval, switching to a different ATSC 1.0 simulcast host.
5. NPG must notify the Bureau at least 30 days before ceasing ATSC 3.0 and resuming ATSC 1.0 transmissions, if ATSC 3.0 service is to be discontinued on KSBB-CD prior to the authorization's expiration date.
6. Any other broadcast television station that would like to transmit an ATSC 3.0 signal as a guest station over KSBB-CD's facility must file its own application for experimental authority. Any experimental authority granted to another station may be subject to the same terms and conditions, including expiration date, as those adopted herein.
7. Both KSBB-CD's ATSC 1.0 simulcast signal and its ATSC 3.0 signal must comply with all programming, technical, and operational obligations applicable to a Class A television licensee, including the obligation to broadcast a minimum of least 18-hours per day and air an average of at least three hours per week of locally produced programming each quarter. 47 CFR § 73.6001(b). NPG will be held liable for any violations of the Communications Act of 1934, as amended, the Commission's rules, or regulations resulting from the transmission of any of its ATSC 1. or ATSC 3.0 signals.
8. Grant of the instant experimental authorization does not indicate that KSBB-CD would be granted a license to transmit a signal pursuant to the ATSC 3.0 rules. Such an evaluation will occur once the Next Gen TV licensing applications are available for filing with the Commission.
9. Any broadcaster equipment or end-user devices must receive (as applicable) the necessary Commission equipment authorizations prior to use.
10. This experimental authorization expires one year from the date of this letter, subject to the terms of paragraph 11 below. There is no expectation of renewal.
11. This experimental authorization is secondary and may be immediately terminated if the operation causes interference to any other broadcast facility or if NPG fails to comply with any conditions of this grant. The Bureau may also terminate this authorization for any other reason upon at least 60-days written notice.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau

Cc: Coe W. Ramsey, Esq. (via electronic mail)