

Henry Gola
202.719.7561
hgola@wiley.law



Wiley Rein LLP
1776 K Street NW
Washington, DC 20006
Tel: 202.719.7000

wiley.law

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VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12 Street S.W.
Washington D.C. 20054

Re: Request for Reinstatement, E860368 (File No. SES-RWL-2006013000171)

Dear Ms. Dortch:

Gray Television Licensee, LLC (“Gray”), by its attorney, hereby files this request for reinstatement of the authorization for earth station E860368, which Gray inadvertently surrendered less than two weeks ago on September 11, 2020.¹ As detailed below, good cause exists for reinstatement, and reinstatement would serve the public interest.² Gray further requests that it be permitted to elect a lump sum payment for E860368.

Prior to the September 14, 2020 lump sum election deadline,³ Gray undertook an extensive due diligence effort to review the Commission’s final incumbent earth station list and catalog the C-band earth stations associated with each of its television stations so as to elect lump sum payments only for operational antennas.⁴

The Commission included the antennas associated with E860368 on its final list of incumbent stations as eligible for reimbursement and protection, and Gray’s internal records indicated that E860368 was used in connection with the broadcast television facilities of WILX-TV, Onondaga, MI (Fac. ID No. 6863). When Gray reached out to WILX-TV’s engineer to confirm the technical details of the earth station, the station’s engineer indicated that he had no knowledge of the E860368 facilities. Consequently, Gray surrendered the authorization.

¹ See FCC Public Notice, Report No. SES-02301.

² See 47 C.F.R. § 25.163 (allowing for reinstatement if the reinstatement would serve the public interest, convenience and necessity).

³ *Wireless Telecommunications Bureau Releases Final Cost Category Schedule for 3.7-4.2 Ghz Band Relocation Expenses and Announces Process and Deadline for Lump Sum Elections*, Public Notice, GN Docket Nos. 18-122 et al., DA 20-802 (rel. July 30, 2020); *In re Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Order, GN Docket Nos. 18-122 et al, DA 20-909 (rel. Aug. 20, 2020).

⁴ In total, Gray surrendered nearly 30 earth station antennas.

Upon further investigation, however, Gray learned that E860368 is, in fact, actively used in connection with broadcast television station WJRT-TV, Flint, MI (Fac. ID No. 21735). WJRT-TV, an ABC affiliate, utilizes E860368 to receive valuable, in-demand programming that is then broadcast to viewers.

Reinstating the authorization will promote continuity of broadcast operations by ensuring that WJRT-TV continues to receive this programming without interruption, thereby serving the public interest. In addition, reinstating the authorization will allow E860368 to maintain its status as an incumbent earth station that must be protected from interference when 5G operations commence in the lower 300 MHz of the C-band.⁵

Gray further requests that it be reimbursed for the reinstated E860368 facilities. Were it not for the inadvertent mistake that led Gray to surrender the authorization, Gray would have included the earth station's two dual-feed antennas in its lump sum election, entitling it to an additional \$33,994.⁶ Providing Gray reimbursement for E860368 will have a *de minimus* impact on the C-band auction in December and will serve the public interest by providing Gray the funds necessary to promptly undertake the technical changes required to transition E860368 to the upper 200 MHz of the C-band.

Good cause exists to reinstate and reimburse the incumbent earth station antennas registered at E860368. Please do not hesitate to contact me should you have any questions regarding this letter.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Henry Gola". The signature is written in a cursive style with a large, sweeping initial "H".

Henry Gola
Counsel to Gray Television Licensee, LLC

⁵ 47 C.F.R. § 25.138(c); *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Report and Order and Order of Proposed Modification, 85 Fed. Reg. 22804 (Apr. 23, 2020).

⁶ See generally Gray Television Licensee, Notice of Lump Sum Election, IB Docket No. 20-205 (filed Sept. 14, 2020).