

PETITION FOR REINSTATEMENT AND RENEWAL OF LICENSE

WSTQ Licensee, LLC (“WSTQ”), pursuant to Section 25.163(a) of the Commission’s Rules, hereby petitions the FCC for reinstatement and renewal of its WSTQ, NY fixed satellite earth station license under Call Sign E050352 (the “License”). Section 25.163(a) provides for reinstatement of an expired authorization within 30-days after expiration “if the Commission, in its discretion, determines that reinstatement would best serve the public interest, convenience and necessity.”¹

The WSTQ license was issued in 2006 with an expiration date of January 9, 2021.² Due to an administrative oversight, WSTQ overlooked the need to file a renewal application for the License, and did not timely submit the application within the filing window established by Section 25.121(e), which closed December 10, 2020. Upon discovering that the expiration date had passed earlier this week, WSTQ immediately prepared the instant renewal application. WSTQ recognizes the importance of timely submission of FCC applications and believes its internal tracking and calendaring system should prevent future errors of this type.

The *de minimis* delay in submitting the renewal application – merely 18 days after expiration, and well within the 30 days provided for under Section 25.163(a)(1) – will have no negative impact on any other FCC-licensee or entity, as the earth station in question has been operational for fifteen years. Rather, denying the petition to reinstate would harm WSTQ’s ongoing broadcast operations. The earth station covered by the License is an integral component of WSTQ’s business, the loss of which would negatively impact its operational capabilities and impair its service to viewers.

To the extent required, WSTQ also requests waivers of Sections 25.121(e) and 25.161(b) of the Commission’s Rules.³ Section 25.121(e) requires that renewal applications must be filed no later than 30 days before the expiration of the license.⁴ Section 25.161(b) of the Commission’s rules further provides that an earth station license will automatically terminate on its expiration date unless an application to renew the license has been timely filed.⁵ The Commission may waive its rules

¹ 47 C.F.R. § 25.163(a).

² See FCC File No. SES-LIC-20051128-01642 (granted 1/9/2006).

³ See 47 C.F.R. § 1.3.

⁴ See 47 C.F.R. §25.121(e).

⁵ See 47 C.F.R. §25.161(b). Sinclair is filing contemporaneously with this application a request for Special Temporary Authority to permit continued operation of the earth station as of August 14, 2017 for a period of up to sixty (60) days, while this reinstatement and renewal application is pending.

when good cause is shown.⁶ Based on the foregoing showing and the fact that reinstatement is fully consistent with the separate reinstatement requirements of Section 25.163, such waiver is appropriate in this instance to the extent that it is required.

Grant of this petition to reinstate is therefore fully consistent with the license reinstatement provisions of Section 25.163 of the Rules, Commission precedent governing late-filed satellite earth station renewals under that rule,⁷ and the Commission's general practice with respect to other Title III licenses of providing a thirty day "grace period" when the deadline for filing a renewal application is inadvertently missed and the "denial of the renewal application and termination of the licensee's operations would be too harsh a result in proportion to the nature of the violation."⁸ Accordingly, grant of the requested relief would best serve the public interest, convenience, and necessity.

⁶ *Northeast Cellular Telephone Co., L.P. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) ("*Northeast Cellular*"); see also *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969) ("*WAIT Radio*").

⁷ See, e.g., *High Plains Broadcasting License Company LLC*, SES-RWL-20090818-01022 (granted August 24, 2009) (granting renewal application filed three weeks after the license expiration date for Call Sign E890633).

⁸ FCC Public Notice, *Waiver Requests Required for Late-Filed Renewal Application in Most Wireless Services*, 18 FCC Rcd 16703 (August 22, 2003).