



Federal Communications Commission
Washington, D.C. 20554

April 16, 2015

America-CV Station Group, Inc.
c/o Peter Tannenwald
Fletcher, Heald & Hildreth
1300 North 17th Street
11th Floor
Arlington, VA 22209

Re: WJPX(TV), San Juan, PR
Facility ID No. 58340
WKPV(TV), Ponce, PR
Facility ID No.58341
WJWN-TV, San Sebastian, PR
Facility ID No. 58342
WIRS(TV), Yauco, PR
Facility ID No. 39887
Virtual Channel Change Request

Dear Counsel:

This is in reference to America-CV Station Group, Inc.'s ("America-CV") request for a waiver of Section 73.682(d), which requires digital broadcast television signals to comply with ATSC A/65C ("ATSC Program and System Information Protocol for Terrestrial Broadcast and Cable, Revision C With Amendment No. 1 dated May 9, 2006") ("PSIP Standard"). America-CV is the licensee of stations WJPX(TV), San Juan, Puerto Rico, RF channel 21, virtual channel 24; WKPV(TV), Ponce, Puerto Rico, RF channel 19, virtual channel 20; WJWN-TV, San Sebastian, Puerto Rico, RF channel 39, virtual channel 38; and WIRS(TV), Yauco, Puerto Rico, RF channel 41, virtual channel 42. Stations WKPV(TV) and WJWN-TV operate as satellites of WJPX(TV) broadcasting MundoFox programming,¹ and WIRS(TV) offers separate programming, AméricaTévé; but currently rebroadcasts WJPX(TV)'s MundoFox programming on its virtual minor channel dot 2 stream. America-CV requests that stations WJPX(TV), WKPV(TV), and WJWN-TV each operate their virtual minor channel dot one streams on channel 24.1 and their virtual minor channel dot two streams on channel 42.2, and that station WIRS(TV) operates its virtual minor channel dot one stream on channel 42.1 and its virtual minor channel dot 2 stream on channel 24.2. We find, in part, that America-CV's request is compliant with the PSIP Standard, but otherwise deny its waiver request.

The PSIP Standard explains, "If a broadcaster owns or controls broadcast licenses for two or more different RF channels having overlapping service areas, he may use a common

¹ FCC File No. BALCDT-20091123AKM.

major_channel_number for all services on all channels.”² However, it also states that “The values in the minor_channel_number fields must be partitioned to insure that there is no duplication of the two-part channel number in the DTV service area, including the overlapping DTV service areas of other broadcasters using that same major_channel_number.” In the *Second Periodic Review*, however, the Commission states, “To the extent broadcasters have a unique situation that is not provided for in PSIP, the Commission may grant exceptions on a case-by-case basis.”³

America-CV states that it is making this virtual channel change request in order to make each service available [(AméricaTévé and MundoFox)] to the entire island of Puerto Rico, which is one economic market, with a common channel identifier – virtual channel 24 for MundoFox and virtual channel 42 for AméricaTévé.”⁴ In support of its request, America-CV explains that virtual major channels 24 and 42 are already solely used by America-CV in the Puerto Rico Market and therefore there will be no confusion with any other broadcasters.⁵ America-CV submits it is compliant with the PSIP Standard for “a group of commonly owned stations in the same market to share the same virtual channel” and “is satisfied” that due to the terrain in Puerto Rico, “viewers will not receive confusing signals.” Finally, America-CV is “comfortable that it can successfully address any potential problem of receivers misinterpreting multiple signals on the same virtual channel.”⁶

We agree with America-CV that the PSIP Standard allows for a group of commonly owned stations in the same market to share a common virtual major channel number. The PSIP Standard states, “If a broadcaster owns or controls broadcast licenses for two or more different RF channels having overlapping service areas, he may use a common major_channel_number for all services on all channels.”⁷ Therefore it is compliant with the PSIP Standard for stations WJPX(TV), WKPV(TV), WJWN-TV, and WIRS(TV) to broadcast MundoFox programming on virtual major channel 24 and AméricaTévé programming on virtual major channel 42 as the stations are commonly owned and have overlapping service areas. However the PSIP Standard also states that the “minor channel number fields must be partitioned to insure there is no duplication of the two-part channel number in the DTV service area.” Therefore, a waiver of the PSIP Standard is required for stations WJPX(TV), WKPV(TV), and WJWN-TV to each operate on the same virtual major and minor channel combinations, virtual channels 24.1 and 42.2.

In support of the waiver, America-CV states it is confident that “it can successfully address any potential problem of receivers misinterpreting multiple signals on the same virtual channel.” Based on the record before us, however, we find that America-CV does not present a “unique situation” that is not provided for in the PSIP Standard and is otherwise technically feasible. Although terrain blockage should partially alleviate the potential problem of receivers misinterpreting multiple signals on the same major and minor virtual channel numbers, there likely will remain portions of the stations’ service areas where receivers will misinterpret

² PSIP Standard , Annex B at 1.5.

³ *Second Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television, Report and Order*, FCC 04-192, 19 FCC Rcd 18279 para. 153 (2004).

⁴ America-CV Waiver Request at 1.

⁵ *Id.* at 2.

⁶ *Id.*

⁷ PSIP Standard , Annex B at 1.5.

multiple signals on the same virtual major and minor channel number combinations. Therefore, Petitioner's request for waivers of ATSC A/65C is not warranted as it is not technically feasible in all instances.

We propose that America-CV use the following virtual major and minor channel combinations for its MundoFox programming on stations WJPX(TV), WKPV(TV), WJWN-TV, and WIRS(TV):

Station	Facility ID	TSID	Major Channel	Minor Channel Number
WJPX(TV)	58340	3381	24	.1
WKPV(TV)	58341	3367	24	.2
WJWN-TV	58342	3385	24	.3
WIRS(TV)	39887	3387	24	.4

Further we propose that America-CV use the following virtual major and minor channel combinations for its AméricaTévé programming on stations WIRS(TV) WJPX(TV), WKPV(TV), WJWN-TV:

Station	Facility ID	TSID	Major Channel	Minor Channel Number
WIRS(TV)	39887	3387	42	.1
WJPX(TV)	58340	3381	42	.2
WKPV(TV)	58341	3367	42	.3
WJWN-TV	58342	3385	42	.4

Accordingly, America-CV Station Group, Inc.'s request for stations WJPX(TV), WKPV(TV), WJWN-TV, and WIRS(TV) to broadcast MundoFox programming on virtual major channel 24 and AméricaTévé programming on virtual major channel 42 is in compliance with the ATSC A/65C. However, IT IS ORDERED That, America-CV Station Group, Inc.'s request to waive ATSC A/65C and to operate WJPX(TV), WKPV(TV), and WJWN-TV all the same virtual major and minor channel combinations, virtual channels 24.1 and 42.2, is DENIED.

Sincerely,

Hossein Hashemzadeh
Deputy Chief, Video Division
Media Bureau