June 11, 2021

Legal Memorandum

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# **July 13, 2021**, Deadline for:

# (1) LPTV and TV Translator Stations to Transition to Digital Operations and (2) Eligible Full Power Stations to File for DTDRTs

We’re currently only about a month away from an important date that licensees of LPTV and TV translator stations should have circled on their calendars—**July 13, 2021**—which is the date by which LPTV and TV translator stations must transition to digital operations and terminate all analog television operations. Certain full power TV licensees likely have the same datehighlighted: **July 13th** also serves as the deadline for eligible full power TV licensees to file for new digital-to-digital replacement translators (“DTDRT”) to recover lost digital service area that resulted from the spectrum repack.

*LPTV and TV Translator Digital Transition Deadline*. Importantly, the July 13, 2021, digital transition deadline for LPTV and TV translator stations doesn’t merely serve as a deadline by which LPTV and TV translator stations must have constructed operational digital facilities. The deadline also means that **no analog operations will be permitted past 11:59 PM local time on July 13, 2021**. Accordingly, stations that have not yet constructed a digital facility by 11:59 PM local time on July 13, 2021, must remain silent until construction is completed. Any stations who find themselves in such a circumstance must also comply with the Commission’s rules governing periods of broadcast silence, including by submitting a notification of silence to the Commission after 10 days of silence, and requesting special temporary authority to remain silent (i.e., a silent STA request) for any period of silence expected to last for more than 30 days.

LPTV and TV translator stations were previously permitted to seek “one last” extension of time of their digital construction permits. Any such extension requests were due by March 15, 2021—i.e., four months prior to the July 13, 2021, transition date. Accordingly, to the extent you believe that you will be unable to construct your digital facilities by the July 13, 2021, deadline, you may wish to contact communications counsel as soon as possible.

*DTDRT Filing Deadline*. Back in 2015—and against the backdrop of the spectrum repack—the FCC created the DTDRT service for the purpose of assisting full power stations that lost pre-auction digital service area as a result of having transitioned to a new channel. DTDRT eligibility is limited “to full power television stations reassigned in the repacking processthat can demonstrate: (1) a loss of a portion of their pre-auction digital service area; and (2) that the proposed DTDRT will be used solely to fill in such loss areas, subject to an allowance for a *de minimis* expansion of the station’s pre-auction digital service area.” As noted, the DTDRT filing cutoff is July 13, 2021, “one year after the completion” of the post-auction transition period.

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If you’re looking for further information regarding the particulars of the July 13, 2021, deadlines described above, we encourage you to review the Media Bureau’s March 2021 [Public Notice](https://docs.fcc.gov/public/attachments/DA-21-260A1.pdf) that reminded LPTV and TV translator licensees of the digital transition deadline and full power TV station licensees of the deadline to file for a qualifying DTDRT.

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*Tim Nelson, Editor*

[BROOKS, PIERCE, McLENDON,](http://www.brookspierce.com/)

[HUMPHREY & LEONARD, L.L.P.](http://www.brookspierce.com/)

[Mark J. Prak](mailto:mprak@brookspierce.com)   
[Marcus W. Trathen](mailto:mtrathen@brookspierce.com)  
[David Kushner](mailto:dkushner@brookspierce.com)  
[Coe W. Ramsey](mailto:cramsey@brookspierce.com)  
[Stephen Hartzell](mailto:shartzell@brookspierce.com)

[Julia C. Ambrose](mailto:jambrose@brookspierce.com)

[Elizabeth E. Spainhour](mailto:espainhour@brookspierce.com)

[J. Benjamin Davis](mailto:bdavis@brookspierce.com)

[Timothy G. Nelson](mailto:tnelson@brookspierce.com)

[Patrick Cross](mailto:pcross@brookspierce.com)

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This Legal Review should in no way be construed as legal advice or a legal opinion on any specific set of facts or circumstances. Therefore, you should consult with legal counsel concerning any specific set of facts or circumstances.

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