

Barry Persh

From: Barbara Kreisman <Barbara.Kreisman@fcc.gov>
Sent: Monday, August 14, 2023 11:57 AM
To: Barry Persh
Cc: Evan Morris; Albert Shuldiner
Subject: KHET, Honolulu & KMEB, Wailuku, Hawaii: 73.503(e)(3) waiver request: GRANTED

This is with reference to a request for waiver of Section 73.503(e)(3) of the Commission's rules by Hawaii Public Television Foundation (d/b/a PBS Hawaii), licensee of noncommercial educational television stations KHET, Honolulu, Hawaii and KMEB, Wailuku, Hawaii. PBS Hawaii is seeking permission to broadcast a one-time benefit concert on August 20, 2023 to raise funds for Hawaii wildfire relief.

KHET and KMEB, both CPB-qualified NCE television stations, request this waiver in order to join Hawaii's commercial television stations in broadcasting a special one-time live benefit concert over its PBS affiliate stations on August 20, 2023 from 5 p.m. to 9 p.m. local time. The licensee states "the live 'Maui Ola: A Benefit Concert for Maui' event will feature Hawaii's top musical artists and groups performing at the Waikiki Shell in order to raise funds to assist in recovery efforts for local residents and businesses devastated by this month's deadly Maui wildfires." The airing of this one-time, four-hour disaster relief concert will temporarily interrupt regular noncommercial news and feature programming over KHET, KMEB, and PBS Hawaii's co-owned TV translator repeater stations.

Further, the waiver request states that two respected and trusted Hawaii nonprofits -- Hawai'i Community Foundation (HCF) and The Council for Native Hawaiian Advancement (CNHA) -- will serve as portals to receive donations from the concert broadcast and will distribute 100% of funds raised to support those impacted by the wildfires on Maui, without deduction of administrative costs.

The licensee adds that HCF is a steward of more than 1,050 funds, including over 300 scholarship funds, designed to transform lives and improve communities. In response to the deadly Maui wildfires, HCF created The Maui Strong Fund to provide resources for disaster recovery and support communities affected by the wildfires on Maui. CNHA is a member-based 501(c)3 non-profit organization whose mission is to enhance the cultural, economic, political, and community development of Native Hawaiians.

In consideration of the limited duration of the on-air fundraising, the unprecedented devastation from wildfires to the Island of Maui and the need for public support to facilitate recovery, the requested waiver of Sections 73.621(e)(3) of the Commission's rules to permit the limited third-party fundraising program described above, IS GRANTED.

From: Barry Persh <bpersh@graymillerpersh.com>
Sent: Monday, August 14, 2023 9:37 AM
To: Barbara Kreisman <Barbara.Kreisman@fcc.gov>
Cc: Evan Morris <Evan.Morris@fcc.gov>
Subject: [EXTERNAL]: NCE TV Fundraising Waiver Request - PBS Hawaii Maui Disaster Relief

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Ms. Kreisman,

On behalf of our client, Hawaii Public Television Foundation (d/b/a PBS Hawaii), licensee of noncommercial educational television stations KHET, Honolulu, Hawaii (Fac. ID 26431) and KMEB, Wailuku, Hawaii (Fac. ID 26428), we hereby request a waiver of Section 73.503(e)(3) of the FCC's rules to allow these CPB-qualified NCE TV stations to broadcast a one-time benefit concert on August 20, 2023 to raise funds for Hawaii wildfire relief.

PBS Hawaii plans to join Hawaii's commercial television stations in broadcasting a special one-time live benefit concert over its PBS affiliate stations on August 20, 2023 from 5 p.m. to 9 p.m. local time. The live "Maui Ola: A Benefit Concert for Maui" event will feature Hawaii's top musical artists and groups performing at the Waikiki Shell in order to raise funds to assist in recovery efforts for local residents and businesses devastated by this month's deadly Maui wildfires. The airing of this one-time, four-hour disaster relief concert will temporarily interrupt regular noncommercial news and feature programming over KHET, KMEB, and PBS Hawaii's co-owned TV translator repeater stations.

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We urge that PBS Hawaii's effort to support Maui wildfire relief for its local community is fully consistent with multiple prior waivers granted by the Commission to public radio and television stations in similar emergency circumstances resulting from disasters, and that a waiver grant here would also serve the public interest, convenience, and necessity.

If there are any questions, please let me know.

Thank you,

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