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December 21, 2021

**VIA EMAIL**

James Bradshaw  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554  
[James.Bradshaw@fcc.gov](mailto:James.Bradshaw@fcc.gov)

**Re: Media Power Group, Inc. – W236DS and W287DP  
Amended Tolling Request for Construction Permits BNPFT-20181101AAC and  
BNPFT-20181101AAD**

Dear Mr. Bradshaw:

Media Power Group, Inc., (“Media Power” or “Permittee”) permittee of FM translators W236DS, Juncos, Puerto Rico, Facility ID No. 203037 and W287DP, Dorado, Puerto Rico, Facility ID No. 203065 (the “Translators”), pursuant to Section 73.3598(b) of the Federal Communications Commission’s (“FCC’s” or “Commission’s”) rules, respectfully amends its requests for the Commission to toll the Media Power Construction Permits (File Nos. BNPFT-20181101AAC and BNPFT-20181101AAD) (the “CPs”) with respect to the Translators.

As demonstrated below, grant of this CP Tolling Request is in the public interest because despite its best efforts, the supply chain problems caused by the COVID-19 pandemic as well as unforeseen siting and technical issues have made it impossible for Media Power to complete construction of its CPs. Accordingly, there is good cause for the FCC to grant the instant Request because these circumstances experienced by Permittee were out of its control.

In particular, Media Power notes that it must contend with Puerto Rico’s high instances of COVID-19<sup>1</sup> as well as the repercussions of the current and previous Atlantic hurricane seasons, which have broken records.<sup>2</sup> Puerto Rico’s COVID-19 cases are currently spiking to levels not seen since

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<sup>1</sup> *Tracking Coronavirus in Puerto Rico: Latest Map and Case Count*, THE NEW YORK TIMES, <https://www.nytimes.com/interactive/2021/us/puerto-rico-covid-cases.html> (last visited Dec. 21, 2021) (enclosed herein as Exhibit D).

<sup>2</sup> “Record-breaking Atlantic hurricane season draws to an end,” NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, <https://www.noaa.gov/media-release/record-breaking-atlantic-hurricane-season-draws-to-end> (last visited Nov. 27, 2021); *see also* Alex Sosnowski, “2021 Atlantic Hurricane System Shows No Signs of Letting Up,” ACCUWEATHER (Sept. 28, 2021, 3:08 PM)

August and April of 2021, which match the highest transmission rates reported over the entire pandemic. The supply chain issues caused by the pandemic have been felt across the globe, and Puerto Rico has been no exception. Supply chain issues have been so severe that goods have increased in price by 6.2% in the last year.<sup>3</sup> Further, this hurricane season was the third-most active Atlantic hurricane season on record. It is also the second in a row, and third overall, in which the designated 21-name list of storm names was exhausted.<sup>4</sup> The storms combined have caused over an estimated \$70 billion in damages, an estimated \$38 billion of which is attributed solely to Hurricane Ida, making 2021 the fourth-costliest Atlantic hurricane season on record.<sup>5</sup> These issues affect shipping to and from Puerto Rico in uniquely disruptive ways.

Although Media Power has diligently worked towards the completion of the construction of the CPs, Media Power respectfully requests tolling of the Translator's CPs for six months. Tolling would allow the Permittee to ensure that the Translators are properly operating at full capacity in accordance with their authorized parameters.

## **DISCUSSION**

### **A. W236DS**

The supply chain issues caused by the pandemic have affected companies around the world, and Media Power has not been spared. For example, on December 17, 2021, Gerardo Vargas, Nautel's Regional Manager for Latin America & Caribbean, informed Media Power in writing that the GV20A transmitter suitable for its needs was still in the process of being manufactured. This letter is attached as Exhibit A herein, in both its original Spanish version and a translated English version.<sup>6</sup> The letter stated that although delivery times earlier this year were estimated at six to seven weeks, the "supply chain problems in the international market" has affected the availability of semiconductors.<sup>7</sup> Mr. Vargas anticipates the semiconductor issue will persist through the first half of 2022. Accordingly, as of the date of the letter, Mr. Vargas estimated a delivery date of March 10, 2022 could be possible, but

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<https://www.accuweather.com/en/hurricane/2021-atlantic-hurricane-season-shows-no-signs-of-letting-up/1023661> (last visited Sept. 28, 2021).

<sup>3</sup> Craig Austin, "How the supply chain caused current inflation, and why it might be here to stay," PBS, THE CONVERSATION (Nov. 10, 2021, 4:15 PM)

<https://www.pbs.org/newshour/economy/how-the-supply-chain-caused-current-inflation-and-why-it-might-be-here-to-stay> (last visited Nov. 27, 2021).

<sup>4</sup> "Tropical Storm Wanda Hovers over the North Atlantic," THE NEW YORK TIMES (Nov. 5, 2021) <https://www.nytimes.com/article/tropical-storm-wanda-hurricane.html>.

<sup>5</sup> "Facts + Statistics: Hurricanes," INSURANCE INFORMATION INSTITUTE, <https://www.iii.org/fact-statistic/facts-statistics-hurricanes>.

<sup>6</sup> Permittee notes that the letter has been processed via Google Translate, and may not be a perfect translation of the Spanish-language version of the same.

<sup>7</sup> See Exhibit A; Chris Ciaccia, *Semiconductor shortage is getting better, but recovery is uneven*, Jefferies says, SEEKING ALPHA (Dec. 27, 2021, 11:00 AM), <https://seekingalpha.com/news/3781348-semiconductor-shortage-is-getting-better-but-recovery-is-uneven-jefferies-says>.

with the Omicron variant of COVID-19 raging throughout the world, Media Power is unsure if that estimation will come to fruition. In order to attempt to build out the facilities with the equipment currently owned by Media Power, it was utilizing a temporary transmitter that was on loan from another company. However, it was not feasible for Media Power to use the temporary transmitter in the long term, so such a temporary fix is no longer viable. At this point, Media Power has received a quote for its transmitter, so it is at least aware of the cost of the equipment and the delivery timing. The quote is attached herein as Exhibit B.

In addition, unfortunately Media Power has not been able to gain access to the site described in its original construction permit, which is owned by Crown Castle. As a small entity, Media Power has comparatively little bargaining power to obtain economically feasible rental rates at that location. Although it continues to explore its options, it does not anticipate it will gain access and is searching for a new site. If the FCC grants the instant request, Media Power will expeditiously file a Minor Modification application with respect to a new site to which it can obtain access and which is economically feasible.

An additional impediment to building out the facilities is the nature of the antenna that must be used to produce the contour for W236DS. Off-the-shelf products are not capable of achieving the service contour that Media Power's construction permit requires because it involves an irregular, "three-finger" shape. The quote (called a pro forma invoice in the attached) for the antenna is attached herein as Exhibit C. Designing an antenna to accommodate these constraints takes a great deal of time. These complicated engineering issues, combined with the financial infeasibility of ordering an antenna before it resolves the siting issues, compound the delays that Media Power is experiencing. Without access to the Crown Castle site, the antenna could not be ordered; but the antenna cannot be ordered until Media Power knows that it will work at the site. This lack of access, and therefore the delays in ordering its antenna, were unanticipated at the time Media Power filed its CP and have been in flux until recently.

Each of these circumstances combined, which are outside of Permittee's control, has hindered Permittee's progress in building out. However, these circumstances have not stopped Permittee entirely. Media Power has been negotiating with the Juncos government for the right to build the transmitter on municipal property and the right to access that property long term. The site, near Juncos Municipality Stadium, is approximately one mile from the site described in its CP. Media Power anticipates that relocating the facilities of W236DS would help speed build-out so that it could serve its community by broadcasting to the public, and respectfully requests tolling of the CP in order to do so.

B. W287DP

The property on which W287DP is sited belongs to the City of Dorado. Because it sits on municipal property, obtaining permission to site W287DP involved escalation of its request to the city's Mayor. Media Power has only recently received permission from the municipality to site its facility on that land and is in the process of working with attorneys to memorialize the agreement in a contract.

In addition, as a result of the global supply chain disruptions and the delays in obtaining permission to locate W287DP at its chosen site, Media Power also experienced significant delays to receiving a transmitter for W287DP. Despite the issues, Media Power was able to order and has now

received and tested the transmitter. After the contract with the City of Dorado is complete and Media Power obtains all requisite permits to build out the facilities, construction will be completed as expeditiously as possible. Permittee cautions, however, that the COVID-19 pandemic has affected the build-out of this translator in the same way as it has W236DS, and that the same concerns of semi-conductor delays and the raging omicron variant may affect build-out in ways that are unforeseen at this time.

Each of these circumstances combined, which are outside of Permittee's control, has hindered Permittee's progress in building out the translators. Permittee continues to diligently work toward finding solutions to build out both translators, and respectfully requests tolling so that it may continue to work toward providing service to the public.

Please contact the undersigned should any questions arise in connection with this matter.

Sincerely,

/s/ Francisco R. Montero

Francisco R. Montero  
Sara L. Hinkle  
*Counsel for Media Power Group, Inc.*

Enclosures

cc (email): Larry Hannif-Ali ([Larry.Hannif-Ali@fcc.gov](mailto:Larry.Hannif-Ali@fcc.gov))  
Joseph Szczesny ([Joseph.Szczesny@fcc.gov](mailto:Joseph.Szczesny@fcc.gov))

# **EXHIBIT A**



viernes, 17 de diciembre de 2021

Media Power Group  
Radio W293DS  
Juncos, PR

Estimado Señores:

El transmisor FM Nautel modelo GV20A pedido por ustedes esta en proceso de fabricación. Lamentablemente nuestro plazo de entrega se ha ampliado. El plazo programado para la entrega esta para el 10 de marzo de 2022. A principios de este año, así como todo el 2020 tuvimos plazos de entrega de 6 a 7 semanas, estos se trastornaron debido al desajuste internacional de suministros.

Estos problemas de la cadena de suministros en el mercado internacional han afectado a todos los fabricantes en la industria electrónica. Desafortunadamente, estas limitaciones de componentes eléctricos van a permanecer todo el primer semestre del 2022.

Queremos comunicarles que nosotros somos los primeros en lamentarnos por los plazos de entrega tan retrasados.

Atentamente,

Gerardo Vargas  
Regional Manager for Latin America & Caribbean



Friday, December 17, 2021  
Media Power Group Radio  
W293DS  
Juncos, PR

Dear Sirs:

The Nautel FM transmitter model GV20A ordered by you is in the process of being manufacturing. Unfortunately our delivery time has been extended. The term scheduled for delivery is for March 10, 2022. Earlier this year, as well as all of 2020 we had delivery times of 6 to 7 weeks, these are upset due to the international supply interruptions.

These supply chain problems in the international market have affected to all manufacturers in the electronics industry. Unfortunately, these limitations of electrical components [semiconductors] will remain throughout the first half of the 2022.

We want to inform you that we regret that delivery will be so late.

Sincerely,  
Gerardo Vargas  
Regional Manager for Latin America & Caribbean

# **EXHIBIT B**



# RF COMMUNICATIONS SERVICES, LLC

## QUOTE: TRANSMITTER FOR W236DS, JUNCOS, PR

ATTN: MR. EDUARDO RIVERO, PRESIDENT

### Pricing

The pricing is valid for 30 days.:

Services Cost	Price
<p>Equipment and or Services to be provided.</p> <p>For: Media Power GroupW236DS @ Juncos, PR</p> <p><b>VS1-EIA: Nautel 1kW FM transmitter</b> with integral digital exciter * Broadband--fully frequency agile. No tuning or dip switches. * 62 Presets for storing power, frequency, mode, input settings, etc. for multiple stations * Analog L-R, composite, AES inputs with built-in stereo generator * Axia Livewire and Shoutcast inputs via Ethernet port * USB input for MP3 playback from external memory stick * Autoswitching inputs can be triggered by main program failure * Same Advanced User Interface (AUI) as NV Series for Web access from anywhere * Space-saving 3RU design (19"W x 5-1/4"H x 25.7"D) * Weight: 40 lbs. * RF Output 7/8" EIA Connector * 180 - 264 VAC single phase power input</p> <p>Total: Taxes and shipping not included.....</p> <p>Terms: 50% on order, 50% prior to shipping</p> <p><b>Notice to licensee, delivery time is estimated at least 12 weeks.</b></p>	<p><b>\$8,500</b></p>

*Production and shipping to site are severely affected by supply chain issues, and world wide supply of IC chips. Hence production of VS1 is now at 12 weeks.	
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If you have questions about this proposal, feel free to contact Mr. Jusino at your convenience by email at reubenjusino@gmail.com or by phone at 787-399-8788. We will be in touch with you to follow-up on the proposal.

Thank you for your consideration,



Reuben Jusino, President  
RF Communications Services, LLC

# **EXHIBIT C**

12:00

LTE

+507 6747-6223

210837 RAFAEL...

1 of 1

305 BROADCAST

T: +1 (850) 200 3322  
F: +1 (850) 305 3056

BROADCAST 3553 NW 79 AVE Miami, FL 33122

Proforma Invoice

This Quote is Valid for 30 Days

Name/Address:  
RAFAEL ACOSTA  
SAN JUAN, PUERTO RICO  
787-375-0443  
rflacosta2002@me.com

Date12/21/2021Quote No.210837

Payment TermsADVANCED

FOBCTF

Project

RepMC

Item	Description	Qty	Your Cost	Total
SCAGS-FMCP-PRM	Five-element FM Rep. (SCAGS-USED GP)	1	2,920.00	2,920.00
P&H Fee	Packing and Handling Fee		30.00	30.00
FRUIT to Cuba...	FRUIT OF 4000 LBS (DO NOT INCLUDE CUSTOMS BROKERAGE FEES, DUTIES OR INSURANCE**		500.00	500.00
Total:				USD 3,450.00

IMPORTANT UPDATED 10/15/2021:  
BANK: US BANK OF AMERICA  
ACCOUNT: 327084141 SWIFT: CHASUS33XXX  
Re-Shocking Fee apply on returned items.  
TERMS: <https://305broadcast.com/pages/terms-of-use> REFUND: <https://305broadcast.com/pages/refund-policy>

<https://mail.google.com/mail/u/0/#search/fbonnet%40radioisla1320.com/FMfcgzGllVqqdmdMWprFtrSMRtgGbwJm?projector=1>

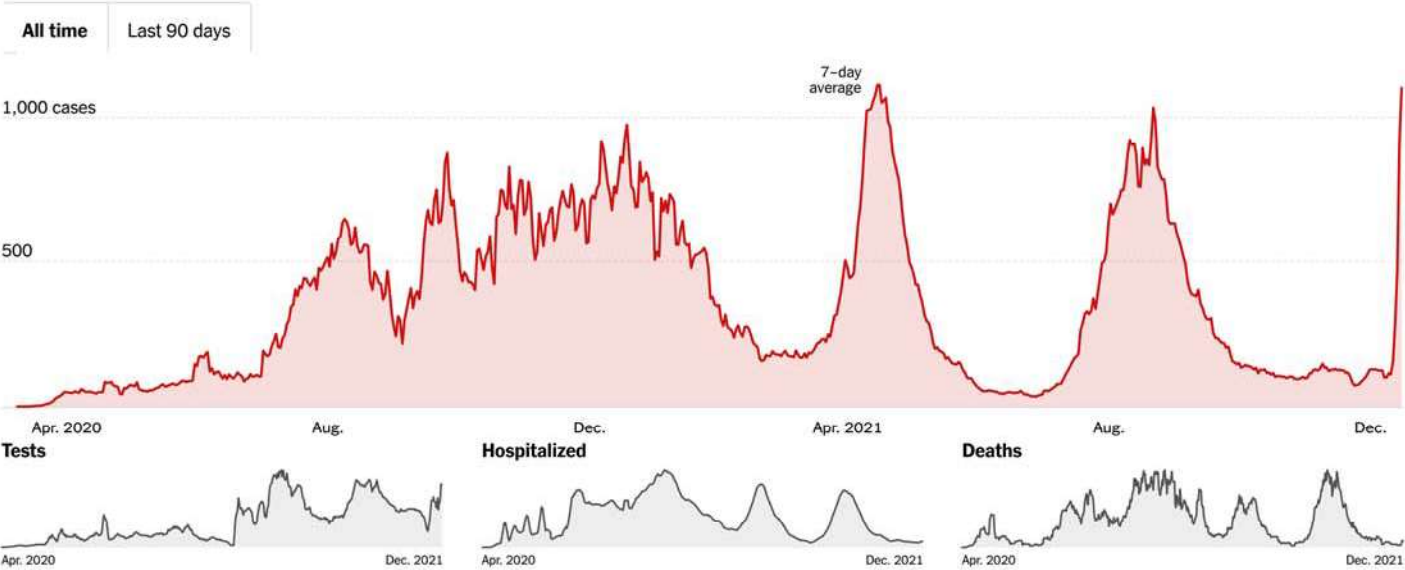
1/2

# **EXHIBIT D**

# Tracking Coronavirus in Puerto Rico: Latest Map and Case Count

Updated Dec. 21, 2021

## New reported cases



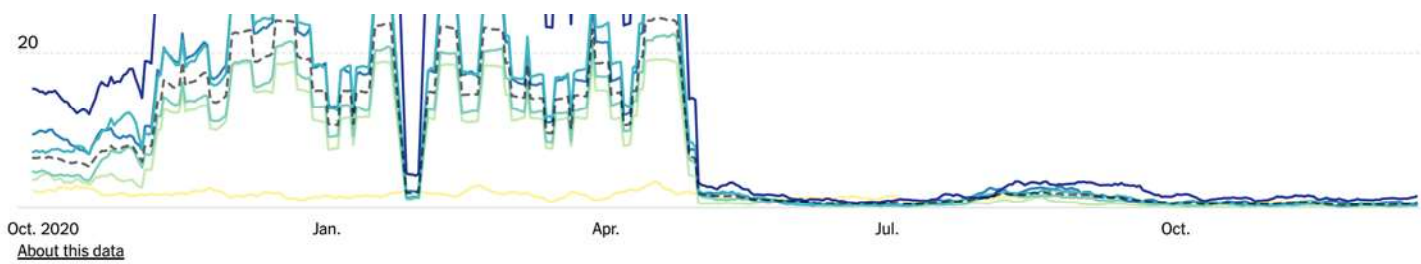
	DAILY AVG. ON DEC. 20	14-DAY CHANGE	TOTAL REPORTED
Cases	1,098	+762%	231,916
Tests	7,155	+35%	—
Hospitalized	57	+21%	—
Deaths	1	+119%	3,286

[About this data](#)

## Daily new hospital admissions by age in Puerto Rico

This chart shows for each age group the number of people per 100,000 that were newly admitted to a hospital with Covid-19 each day, according to data from the U.S. Department of Health and Human Services. Dips and spikes could be due to inconsistent reporting by hospitals.





Hot spots

AVERAGE DAILY CASES PER 100,000 PEOPLE IN PAST WEEK

10 30 50 70 100 250



© Mapbox © OpenStreetMap

Hot spots	Vaccinations	Risk levels	Total cases	Per capita

About this data

Vaccinations

	AT LEAST ONE DOSE	FULLY VACCINATED
All ages	83%	72%
12 and up	95%	84%
65 and up	95%	86%

See more details ›

About this data

## Mask mandates and guidance

As of Dec. 15, 2021

The New York Times is tracking mask policies at the state level, including current federal guidance by county and where leaders are rejecting such guidance or mandates. [Read more here](#) ›

- Masks are mandated indoors by Puerto Rico officials.
- Masks are mandated in schools for all students by state officials.

## Reported cases, deaths and other trends by county












This table is sorted by places with the most cases per 100,000 residents in the last seven days. Charts show change in daily averages and are each on their own scale. Select a table header to sort by another metric.

**Recent trends**

All time

Search counties

**Cases** Hospitalizations Deaths Vaccinated

	CASES DAILY AVG.	PER 100,000	14-DAY CHANGE
Puerto Rico	1,098	32	+762% 
Guaynabo	65	77	+1,271% 
San Juan	213	66	+1,575% 
Dorado	17	48	+1,033% 
Carolina	66	45	+1,388% 
Toa Alta	31	44	+558% 
Bayamón	74	44	+1,168% 
Caguas	53	43	+935% 
Aibonito	9	40	+788% 
Barranquitas	11	39	+980% 
Gurabo	18	38	+1,022% 

Show all

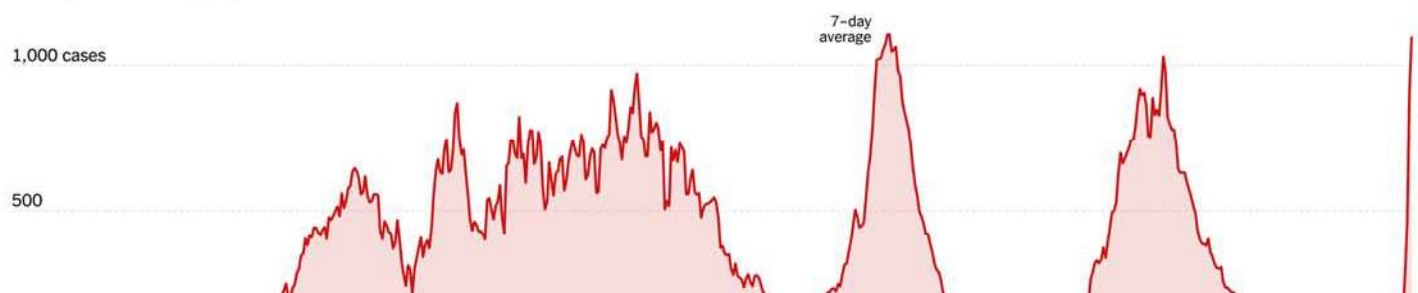
[About this data](#)

## How trends have changed in Puerto Rico

All time

Last 90 days

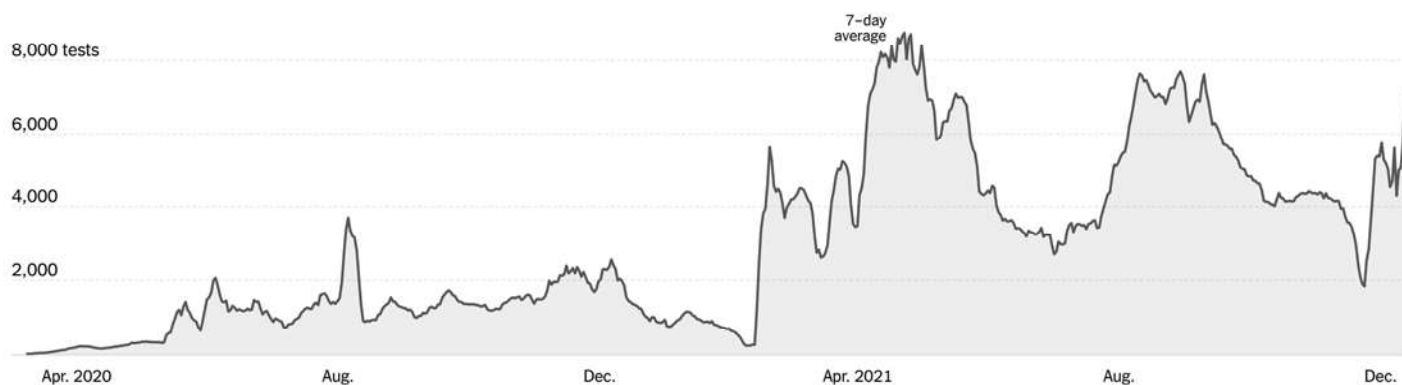
New reported cases by day



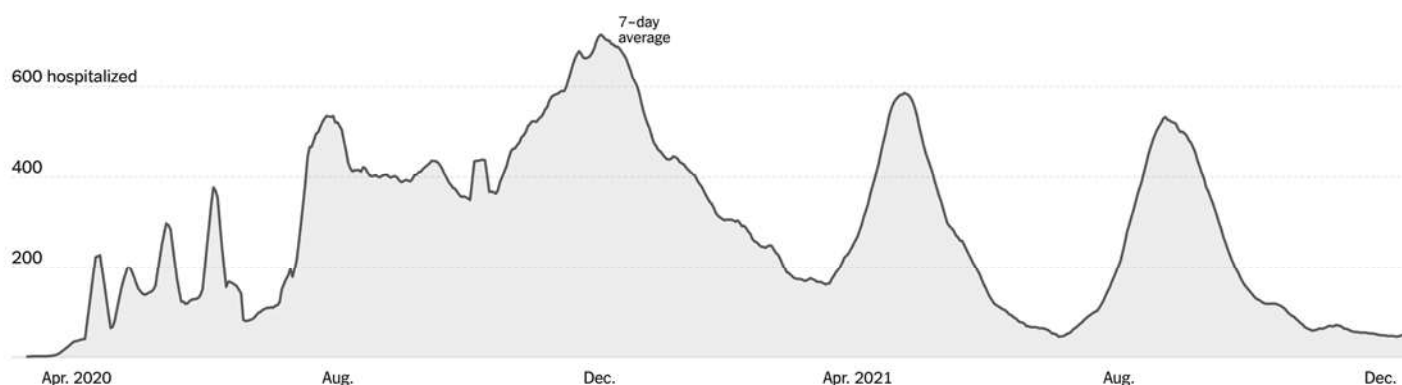




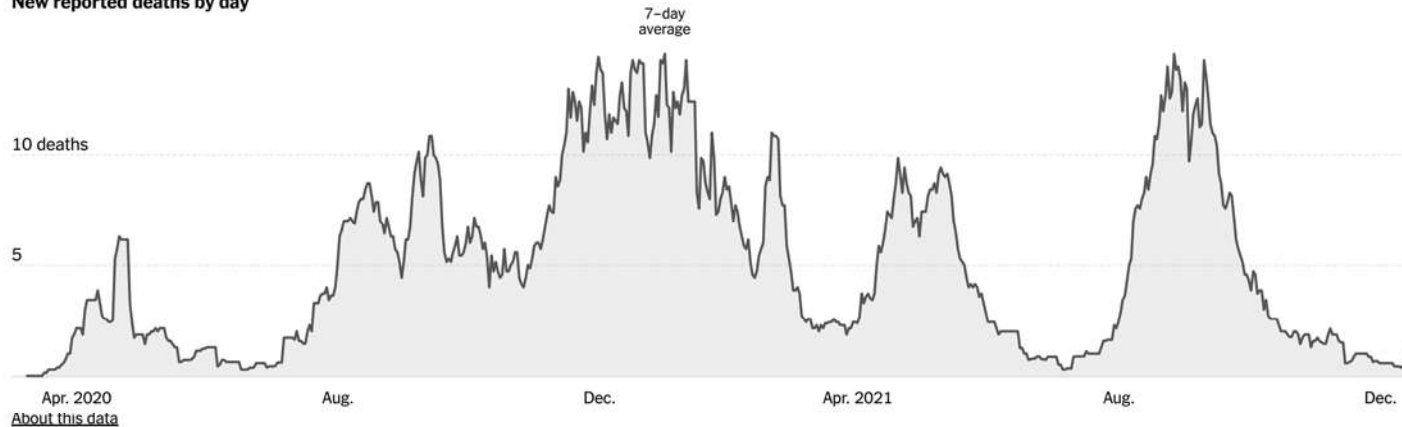
### Tests by day



### Hospitalizations



### New reported deaths by day



## Outbreak clusters

In the first year of the pandemic, The Times tracked cases in the types of places with some of the worst outbreaks, like nursing homes, food processing plants and correctional facilities.

**Prisons** Colleges

CASES CONNECTED TO

Guaynabo federal prison

LOCATION

Guaynabo, P.R.

CASES

52

[About this data](#)

## About the data

In data for Puerto Rico, The Times primarily relies on reports from the territory. Puerto Rico typically releases new data each day. Weekend counts may be lower because fewer sources report to the territory.

The Times has identified reporting anomalies or methodology changes in the data.

### [More about reporting anomalies or changes](#)

The tallies on this page include probable and confirmed cases and deaths.

**Confirmed cases and deaths**, which are widely considered to be an undercount of the true toll, are counts of individuals whose coronavirus infections were confirmed by a molecular laboratory test. **Probable cases and deaths** count individuals who meet criteria for other types of testing, symptoms and exposure, as developed by national and local governments.

Governments often revise data or report a single-day large increase in cases or deaths from unspecified days without historical revisions, which can cause an irregular pattern in the daily reported figures. The Times is excluding these anomalies from seven-day averages when possible. For agencies that do not report data every day, variation in the schedule on which cases or deaths are reported, such as around holidays, can also cause an irregular pattern in averages. The Times uses an adjustment method to vary the number of days included in an average to remove these irregularities.

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## Tracking the Coronavirus

### United States

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#### Latest Maps and Data

Cases and deaths for every county

#### Vaccinations

How many have been vaccinated, and who's eligible

#### Your Places

Build your own dashboard to track cases

#### Mask Mandates

See state mask guidance for schools and indoors

#### Your County's Risk

See guidance for your local area

#### Hospitals Near You

How many I.C.U. beds are occupied

### World

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#### Latest Maps and Data

Cases and deaths for every country

#### Global Vaccinations

How many have been vaccinated, by country

### Health

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#### Vaccines

Track their development

#### Treatments

Rated by effectiveness and safety

### Previous Projects

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#### Nursing Homes

The hardest-hit states and facilities

#### Colleges and Universities

Cases at more than 1,800 schools

#### Deaths Above Normal

The true toll of the pandemic in the U.S.

#### Deaths Above Normal

The true toll of coronavirus around the world

## Countries

Australia	France	Italy	Spain
Brazil	Germany	Japan	U.K.
Canada	India	Mexico	United States

## States, Territories and Cities

Alabama	Indiana	Nevada	South Carolina
Alaska	Iowa	New Hampshire	South Dakota
Arizona	Kansas	New Jersey	Tennessee
Arkansas	Kentucky	New Mexico	Texas
California	Louisiana	New York	U.S. Virgin Islands
Colorado	Maine	North Carolina	Utah
Connecticut	Maryland	North Dakota	Vermont
Delaware	Massachusetts	Northern Mariana Islands	Virginia
Florida	Michigan	Ohio	Washington
Georgia	Minnesota	Oklahoma	Washington, D.C.
Guam	Mississippi	Oregon	West Virginia
Hawaii	Missouri	Pennsylvania	Wisconsin
Idaho	Montana	Puerto Rico	Wyoming
Illinois	Nebraska	Rhode Island	

## Data

Frequently Asked Questions About the Covid Data

[Access the Open Source Covid Data](#)

## Credits

By Jordan Allen, Sarah Almkhtar, Aliza Aufrichtig, Anne Barnard, Matthew Bloch, Sarah Cahalan, Weiyi Cai, Julia Calderone, Keith Collins, Matthew Conlen, Lindsey Cook, Gabriel Gianordoli, Amy Harmon, Rich Harris, Adeel Hassan, Jon Huang, Danya Issawi, Danielle Ivory, K.K. Rebecca Lai, Alex Lemonides, Eleanor Lutz, Allison McCann, Richard A. Oppel Jr., Jugal K. Patel, Alison Saldanha, Kirk Semple, Shelly Seroussi, Julie Walton Shaver, Amy Schoenfeld Walker, Anjali Singhvi, Charlie Smart, Mitch Smith, Albert Sun, Rumsey Taylor, Lisa Waananen Jones, Derek Watkins, Timothy Williams, Jin Wu and Karen Yourish. · Reporting was contributed by Jeff Arnold, Ian Austen, Mike Baker, Brilliant Bao, Ellen Barry, Shashank Bengali, Samone Blair, Nicholas Bogel-Burroughs, Aurelien Breeden, Elisha Brown, Emma Bubola, Maddie Burakoff, Alyssa Burr, Christopher Calabrese, Julia Carmel, Zak Cassel, Robert Chiarito, Izzy Colón, Matt Craig, Yves De Jesus, Brendon Derr, Brandon Dupré, Melissa Eddy, John Eligon, Timmy Facciola, Bianca Fortis, Jake Frankenfield, Matt Furber, Robert Gebeloff, Thomas Gibbons-Neff, Matthew Goldstein, Grace Gorenflo, Rebecca Griesbach, Benjamin Guggenheim, Barbara Harvey, Lauryn Higgins, Josh Holder, Jake Holland, Anna Joyce, John Keefe, Ann Hinga Klein, Jacob LaGessee, Alex Lim, Alex Matthews, Patricia Mazzei, Jesse McKinley, Miles McKinley, K.B. Mensah, Sarah Mervosh, Jacob Meschke, Lauren Messman, Andrea Michelson, Jaylynn Moffat-Mowatt, Steven Moity, Paul Moon, Derek M. Norman, Anahad O'Connor, Ashlyn O'Hara, Azi Paybarah, Elian Peltier, Richard Pérez-Peña, Sean Plambeck, Laney Pope, Elisabetta Povoledo, Cierra S. Queen, Savannah Redl, Scott Reinhard, Chloe Reynolds, Thomas Rivas, Frances Robles, Natasha Rodriguez, Jess Ruderman, Kai Schultz, Alex Schwartz, Emily Schwing, Libby Seline, Rachel Sherman, Sarena Snider, Brandon Thorp, Alex Traub, Maura Turcotte, Tracey Tully, Jeremy White, Kristine White, Bonnie G. Wong, Tiffany Wong, Sameer Yasir and John Yoon. · Data acquisition and additional work contributed by Will Houp, Andrew Chavez, Michael Strickland, Tiff Fehr, Miles Watkins, Josh Williams, Nina Pavlich, Carmen Cincotti, Ben Smithgall, Andrew Fischer, Rachel Shorey, Blacki Migliozi, Alastair Coote, Jaymin Patel, John-Michael Murphy, Isaac White, Steven Speicher, Hugh Mandeville, Robin Berjon, Thu Trinh, Carolyn Price, James G. Robinson, Phil Wells, Yanxing Yang, Michael Beswetherick, Michael Robles, Nikhil Baradwaj, Ariana Giorgi, Bella Virgilio, Dylan Momplaisir, Avery Dews, Bea Malsky, Ilana Marcus and Jason Kao.

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