



Federal Communications Commission  
Washington, D.C. 20554

February 26, 2009

TVC NY License LLC  
c/o Leighton T. Brown, Esq.  
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2099 Pennsylvania Avenue, NW  
Suite 100  
Washington, DC 20006-6801

In Re: Extension of Construction Permit  
For Station WNYN-LP  
New York, New York  
BDFCDTL-20060111ACS  
Fac Id: 74305

Dear Counsel:

This is in reference to your request, filed on December 19, 2008, on behalf of TVC NY License LLC (TVC), permittee of Station WNYN-LP, New York, New York, to extend the station's above-captioned construction permit pursuant to the policy set forth in *Promoting Diversification of Ownership In the Broadcasting Services*, 22 FCC Rcd 915 (2008)(*Diversification Report and Order*). The station's construction permit will expire on March 16, 2009. For the reasons set forth below, we grant your request and extend the station's construction permits to April 28, 2010.

In the *Diversification Report and Order*, the Commission revised Section 73.3598(a) of its rules to afford eligible entities that acquire an expiring construction permit additional time to build out the facility. See *Diversification Report and Order* at ¶¶ 15-16 and 47 C.F.R. § 73.3598(a). Specifically, eligible entities that pledge to complete construction are allowed the time remaining on the original construction permit or 18 months from the date of consummation of the assignment or transfer of control, whichever is greater. *Id.* Eligible entities are defined as any entity that would qualify as a small business consistent with Small Business Administration ("SBA") standards for its industry grouping, based on revenue. *Id.* at ¶6. At present, the SBA defines as a small business a television broadcasting station that has no more than \$13 million in annual receipts. See 13 C.F.R. § 121.201.

TVC acquired the construction permit for WNYN-LP on October 28, 2008. See File No. BAPCT-. TVC has submitted information to demonstrate that it has annual receipts of less than \$13 million. TVC also pledges to complete construction of the new station by the extended construction deadline. We find that Alpena has qualified for the relief set forth in Section 73.3598(a) of the rules. Therefore, we grant its request and extend the station's construction permit to April 28, 2010 (eighteen

months from the date of consummation on the assignment of permit to TVC). The construction permit will be reissued to reflect the new expiration date.

Sincerely,

Hossein Hashemzadeh  
Associate Chief, Video Division  
Media Bureau