

Request for Extension of Time to Construct

Media Vista SW Florida, LLC (“Media Vista”), the licensee of WLZE-LD, Fort Myers, Florida (Facility ID No. 41376) (“WLZE”), hereby respectfully requests a six month extension of the deadline to construct the facilities authorized under construction permit FCC File No. BDISDTL-20130610AAN. The construction permit authorizes displacement of WLZE from Channel 51 to Channel 20 and is currently scheduled to expire on October 17, 2016.

The Commission has extended the construction deadline for transitioning digital LPTV and translator stations and new digital LPTV and translator stations in order to mitigate the impact of the spectrum incentive auction and repacking process on LPTV and translator stations. *See Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power Television and Television Translator Stations*, Third Report and Order and Fourth Notice of Proposed Rulemaking, 30 FCC Rcd 14927, 14930-33, para. 6-9 (2015) (“*LPTV DTV Third Report and Order*”). The Commission recognized that the spectrum incentive auction and repacking process may displace LPTV and translator stations and extended the deadline to allow LPTV and translator stations “[t]o avoid the feared ‘double build’ scenario and provide relief to analog LPTV and TV translator stations . . .” *LPTV DTV Third Report and Order* at 14932, para. 9. *See also LPTV DTV Third Report and Order* at 14929, para. 2.

As a displacement of an existing digital LPTV station, the construction deadline extension does not apply to WLZE’s construction permit. However, for the same reasons that justified extending the deadline for transitioning and new digital LPTV and translator stations, Media Vista seeks an extension of the WLZE construction permit. The impact of the spectrum incentive auction and repacking on the facilities under the construction permit remain unknown. As with transitioning and new digital LPTV and translator stations, the investment to build out and license the permitted facility could be made with no justification if the facility is displaced in the incentive auction or repacking process and require a “double build” scenario. Further, grant of this extension would also avoid placing Media Vista at a competitive disadvantage to other LPTV licensees that have received permit extensions based on the uncertainty created by the incentive auction and repacking process.

For the foregoing reasons, Media Vista respectfully requests a six month extension of the deadline to construct, through and including April 17, 2017.