

**Request for Waiver of Deadline for Channel Sharing Station
to Discontinue Operations on Pre-Auction Channel**

Pursuant to Section 1.3 of the FCC's Rules, Senda Educational Broadcasting ("Senda"), the licensee of WELU, Toa Baja, PR (Facility ID No. 26602) ("Station"), hereby requests waiver of Sections 73.3700(b)(1)(vii) and (b)(4)(ii) of the Commission's Rules to allow WELU an additional 90 days in which to discontinue operations on its pre-auction channel.

Senda submitted a successful bid in the recently completed incentive auction for the Station to return its spectrum and go off-air. In the FCC Form 177 it submitted as part of the incentive auction process, Senda advised that its intent was to enter into a channel sharing agreement ("CSA").

Senda then executed a CSA with Wanda Rolon, licensee of WSJN-CD, San Juan, PR (Facility ID No. 48239), to share facilities with WSJN-CD. However, the WSJN-CD facilities were completely destroyed during Hurricane Maria. Senda, through its counsel, then contacted the FCC staff about constructing temporary facilities for both WELU and WSJN-CD to share. FCC staff advised both WELU and WSJN-CD to request special temporary authority to operate on the temporary facilities. An STA request for WSJN-CD is being filed simultaneously with this WELU STA request.

In conjunction with this STA request, Senda requests a waiver of its deadline to go off the air on its pre-auction channel. The FCC may grant a waiver for good cause shown. The agency typically grants a waiver where the particular facts make strict compliance inconsistent with the public interest. *N.E. Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990). In the incentive auction proceeding, the Commission specifically addressed criteria for a waiver of the off-air date for channel sharing stations and reasoned that it "will view requests for up to three additional months to terminate operations most favorably." *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, 29 FCC Rcd 6567 ¶ 578 (2014) (emphasis added).

Grant of this waiver request is clearly in the public interest, as it will allow a Puerto Rican station to return to the air more quickly. In addition, a grant of 90 days will not impose any adverse effects on the post-auction transition or any other party. Accordingly, Senda requests an additional 90 days for its go-off-the-air deadline.