

## **Request for Waiver of Construction Permit Application Filing Deadline**

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 a waiver of Section 73.3700(b)(1)(i) of the Commission's Rules to allow WELU an additional three months in which to file an application for a license of a shared channel. Senda also requests to waive the November 24, 2017 waiver filing deadline as it was unable to file this waiver at that time due to the destruction caused by Hurricane Maria and limited communication available.

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.

Senda requests a waiver of its Construction Permit. 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).

Grant of this waiver request is clearly in the public interest, as it will allow a Puerto Rican station to recover from the difficulties resulting from Hurricane Maria. Moreover, granting of this waiver will not impact the post-incentive auction transition. Accordingly, Senda requests an extension of an additional three months of its CP.