

Station KGMC (DT) (Facility ID 23302)
Request to Waive Tolling

Cocola Broadcasting Companies LLC, permittee of KGMC, seek a waiver of tolling to extend its minor modification construction permit, File No. 71857, for 14 days, from May 29, 2019, until Wednesday, June 12, 2019. Most elements of the new station facility are in place, in virtue of current operation under STA at the site and on the same Channel 27. Final equipment is scheduled for delivery today, and the installers at the tower are fully apprised of the urgency. We anticipate that the May 29 deadline will be met. The tolling waiver is sought out of an excess of caution, while the arriving equipment is being inspected, checked off and accepted, and because adverse weather is forecast, including possible thunderstorms, that may preclude tower work in the few days remaining under the permit.

Permittee has been diligent. Station KGMC was assigned to the Phase 1 transition schedule and currently is operating on its repacked Channel 27, for which it had been granted STA. The licensee's former transmitter location at Bear Mountain was not suitable for the transition because the existing transmitter shed was too small to fully accommodate the new equipment after the transition. Licensee explored with Commission staff the possibility of obtaining a waiver of the freeze then in effect for minor modifications, to move the intended permanent transmitter location from Bear Mountain to the established antenna farm area at Meadow Lakes, alongside eight other television broadcast stations.

A draft minor amendment was forwarded to the staff on April 4, 2019. On April 17, the staff indicated that the plan could receive favorable consideration, and the minor change was submitted the next day, April 18. It was granted on May 13. We appreciate the diligence of staff in processing this proposal with dispatch. But the grant presents an exceedingly tight window between the new authorization and the expiration of the permit.

Good cause exists for waiver of the express conditions for tolling under Sec. 73.3598 of the Commission's Rules and Regulations. By moving the transmitter site to Meadow Lakes, the permittee will be delivering significant public benefits:

The shared antenna farm site will reduce scan confusion among viewers, and will avoid any need to re-point home antennas.

The Meadow Lakes site has improved access, infrastructure and resources, including fiber availability.

The Meadow Lakes site results in greatly enhanced coverage of the station into areas previously unserved, more than offsetting a negligible viewership loss.

The Station is a primary network affiliate of Estrella TV, a highly rated Hispanic network. The relocation will provide enhanced reach to the growing Hispanic population in the DMA.

On balance, the permittee is certain that it made the right choice in pursuing a superior transmitter location. The consequential time bind can be overcome, either within the deadline imposed by the construction permit, or with a short period of tolling and waiver. Accordingly, for good cause shown, a waiver of tolling for two weeks is respectfully requested.

May 20, 2019.