

Tolling Request

Puerto Rico Public Broadcasting Corporation, Inc. (“PRPBC”), licensee of full-power television Station WIPM(DT), Mayaguez, Puerto Rico (Facility ID No. 53863) (the “Station”), respectfully requests that the construction permit authorizing the Station to modify its facilities to operate on its post-auction channel (0000024551) (the “CP Authorization”), be tolled in accordance with Section 73.3598(b) of the Commission’s rules. As discussed in more detail below, Commission approval of the requested tolling is consistent with Commission rules and will serve the public interest.

As a result of the FCC’s Incentive Auction, the Station was reassigned to Channel 32. After the completion of the Incentive Auction, the Station timely filed a modification application for the repacked facilities assigned by the Commission. However, before any construction could be completed, the Station’s tower and transmission facilities sustained substantial damage during Hurricane Maria in September 2017. Because there was substantial damage caused to television stations licensed to communities throughout Puerto Rico, the FCC adjusted the transition deadline for affected stations.¹ Under the revised transition schedule, the Station was required to terminate operation on its pre-Incentive Auction channel no later than August 1, 2018.

Recognizing that it would not be able to complete construction of its authorized post-Incentive Auction facility prior to the August 1 deadline, PRPBC requested and received authorization to extend the CP Authorization deadline (File No. 0000055292). Additionally, PRPBC requested and received special temporary authority to operate with interim facilities while it worked to complete construction of the facilities set forth in the CP Authorization (File No. 0000055290, as extended by File No. 0000074845). While the Commission extended PRPBC’s STA authorization on June 25, 2019 for a term expiring on December 24, 2019, the instant request seeks additional time to construction the CP Authorization, which is due to expire on October 2, 2019.

Previously, PRPBC detailed the substantial damage caused by Hurricane Maria, which included significant damage to the Station’s tower, and substantial damage to the related transmission facilities. PRPBC has taken substantive steps to complete construction of its post-Incentive Auction facility, but because the Station is on the same tower as Station WNJX, these efforts have been delayed.² The tower owner has hired a tower crew to reinforce the existing tower, and has restacked the antennas located on the tower. PRPBC has identified a Dielectric antenna to purchase, and is awaiting on appropriation of funds for this purpose from the Puerto Rican government. PRPBC expects to receive the necessary funds in the near term, and will order and take delivery of the antenna shortly thereafter. In the meantime, however, PRPBC’s engineering team cannot proceed with any installation.

¹See *Incentive Auction Task Force and Media Bureau Grant Waiver of the Post-Auction Transition Schedule and Modify the Transition Phase Assignments of Repacked Stations In Puerto Rico and the U.S. Virgin Islands*, Public Notice, 33 FCC Rcd 138 (2018).

²The reconstruction efforts of the tower for Station WNJX (and Station WIPM) were detailed in the Tolling Request filed by Station WNJX’s licensee. See File No. 0000067112.

Section 73.3598(b) of the Commission's rules provides that the period of construction for an original construction permit shall toll when "construction is prevented due to an Act of God, defined in terms of natural disasters." Without question, the extensive damage that the Station sustained during Hurricane Maria constitutes an Act of God justifying tolling. Further, tolling of the construction permit will not impact the overall transition schedule or cause interference to other stations.

For the reasons set forth above, PRPBC respectfully requests that the CP Authorization be tolled for a period of 180 days.