

**Request for Waiver of Construction Permit Application Filing Deadline**  
**WCIU-TV Chicago, IL (Facility ID 71428)**

WCIU-TV Limited Partnership, licensee of WCIU-TV (Facility ID 71428), Chicago, IL (the “Station”), respectfully requests a waiver of the deadline to seek an extension of its Construction Permit (“CP”) (File No. 0000078660). The Station concurrently has requested an extension of that CP.

**Background.** As explained in the concurrently filed application for CP extension, WCIU-TV was scheduled to transition to its post-auction channel (23) during Phase 6. The Station fully intended to commence operating on its new channel located on the Willis Tower, where it is one of seven stations at this location being repacked in Phase 6. Unfortunately, the repack required replacement of the existing antennas that in turn requires significant structural work to the building itself. Due to the lengthy delay in the required site work and in order to meet the Phase 6 deadline for transitioning to its Repack channel 23, WCIU-TV filed a license to cover its auxiliary facility CP on October 18, 2019 (File No. 0000086909) to operate on channel 23 utilizing an existing antenna located on the east tower of the Willis Tower. Following completion of the west mast multichannel antenna, the Station will move to its permanent post-auction channel 23 main antenna, pursuant to the Station’s main facility construction permit.

**Waiver Request.** The FCC may grant a waiver for good cause shown.<sup>1</sup> A waiver is appropriate where the particular facts make strict compliance inconsistent with the public interest.<sup>2</sup> In considering a waiver, the FCC may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.<sup>3</sup> Such a waiver is appropriate if circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.<sup>4</sup>

Grant of the instant request for waiver of the deadline for seeking an extension of a CP would be squarely within the Commission’s policies. Circumstances outside of the Station’s control prevented the Station from seeking the CP extension by the applicable deadline for such a filing. Moreover, the proposed waiver serves the public interest by enabling the Station to seek and obtain an extension in its Construction Permit—thereby avoiding unnecessary disruption to viewers in the market.

**Conclusion.** The Station respectfully requests that the Commission waive the deadline for filing a request to extend its Construction Permit, so that the Station may seek and receive an extension in its CP.

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<sup>1</sup> 47 C.F.R. § 1.3.

<sup>2</sup> *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

<sup>3</sup> *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

<sup>4</sup> *Northeast Cellular*, 897 F.2d at 1166.