

WNYO-TV – Request for Construction Permit Extension

NEW YORK TELEVISION, INC., licensee of station WNYO-TV, Buffalo, NY, FIN 67784 (“WNYO”), hereby requests extension of its construction permit (File No: 0000034641) (“CP”). due to circumstances beyond its control, to operate on interim facilities while its permanent facilities are completed, and further requests a waiver of the Commission’s rules to the extent necessary. *See* 47 C.F.R. Section 73.3700(b)(5)(iv).¹ WNYO hereby respectfully requests an extension of its CP for 180 days from March 13, 2020 until September 9, 2020.

WNYO was assigned to transition from Channel 49 to Channel 16 in Phase 8 of the repack. The station has made significant progress in constructing its post-transition facilities, including installation of its permanent full power main transmitter. Due to scheduling and tower crew delays, the station’s permanent post-repack antenna has yet to be installed. The helicopter installation of the station’s permanent post repack antenna is scheduled for May 26, 2020. Because of the time needed to install the station’s permanent main antenna, WNYO will not be able to fully complete construction of its permanent post-repack facilities by the end of Phase 8 on March 13, 2020, but WNYO plans to transition using an interim antenna on its new Channel 16 by the Phase 8 deadline.

WNYO respectfully requests an extension of its CP because it will not be able to complete the construction and installation of its permanent post-repack facilities prior to the end of Phase 8, and therefore will not be able to cover its CP while construction is completed on its permanent facilities. WNYO is concurrently filing a request for an STA to operate on temporary interim facilities during the final construction. This request will not impact the repack efforts of other stations because WNYO will operate on its post-repack channel. Furthermore, grant of the instant CP extension request would be in the public interest because it would allow WNYO to continue operating without disruption of service to the public.

¹ This request has been filed fewer than 90 days before WNYO’s current construction deadline. The station only recently learned that construction of its post-repack facilities could be delayed. WNYO thus respectfully requests a waiver of 47 C.F.R. §73.3700(b)(5)(iv).