

Request for Extension of Tolling of Construction Permit
WSJN-CD, San Juan, PR (Facility ID No. 48239)
LMS File No. 0000034542

Wanda Rolon (“Licensee”), licensee of Digital Class A Television station, WSJN-CD, San Juan, PR (Facility ID No. 48239) (“WSJN-CD”), pursuant to Section 73.3598(b) of the Commission’s rules,¹ respectfully requests an extension of tolling of WSJN-CD’s repack construction permit (“Construction Permit”).² This request is necessary due to damage sustained by WSJN-CD during Hurricane Maria, and Licensee’s ongoing efforts to complete construction of WSJN-CD’s post-auction facilities pursuant to WSJN-CD’s Construction Permit.

As the Commission is well aware, Hurricane Maria devastated the island of Puerto Rico in October 2017. WSJN-CD was one of the many stations damaged during the storm. In fact, WSJN-CD’s tower was completely destroyed.

On January 11, 2018, the Media Bureau granted Licensee’s request to modify WSJN-CD’s post-auction transition phase deadline to permit WSJN-CD to transition to its post-auction channel 22 prior to the start of Phase 1 due to damage sustained to its transmission facilities during Hurricane Maria.³ WSJN-CD was assigned a new testing period start date of July 1, 2018 and was required to cease operation on its pre-auction channel by August 1, 2018. WSJN-CD has since gone on the air on its post-auction channel under interim facilities via Special Temporary Authority (“STA”).⁴

On July 31, 2018, the FCC extended WSJN-CD’s Construction Permit to January 28, 2019.⁵ Then, on April 5, 2019, the FCC tolled the expiration date for WSJN-CD’s Construction Permit until October 2, 2019.⁶ Most recently, on November 15, 2019, the Commission further extended tolling of the expiration date for WSJN-CD’s Construction Permit until March 30, 2020.⁷

¹ 47 C.F.R. § 73.3598(b).

² LMS File No. 0000034542.

³ *See generally 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 (IATF/MB 2018).

⁴ LMS File No. 0000058620; Letter from Hossein Hashemzadeh, Deputy Chief, Video Division, Media Bureau, FCC, to Wanda Rolon, LMS File No. 0000058620 (July 31, 2018).

⁵ LMS File No. 0000058617; Letter from Hossein Hashemzadeh, Deputy Chief, Video Division, Media Bureau, FCC, to Wanda Rolon, LMS File No. 0000058617 (July 31, 2018).

⁶ LMS File No. 0000067028; Letter from Barbara A. Kreisman, Chief, Video Division, Media Bureau, FCC, to Wanda Rolon, LMS File No. 0000067028 (Apr. 5, 2019).

⁷ LMS File No. 0000082470; Letter from Barbara A. Kreisman, Chief, Video Division, Media Bureau, FCC, to Wanda Rolon, LMS File No. 0000082470 (Nov. 15, 2019).

Licensee has worked diligently to construct WSJN-CD's new tower, but significant work remains outstanding. Since the FCC extended tolling of WSJN-CD's Construction Permit on November 15, 2019, WSJN-CD has been working on local permits for the new antenna structure facilities. The Geotechnical Exploration study for WSJN-CD was completed on February 25, 2020. With the completion of the Geotechnical Exploration study, the construction team is now working on obtaining the local permits and government approvals necessary for completion of construction of WSJN-CD's new tower. The recent earthquakes and the ongoing aftershocks in Puerto Rico, however, have continued to delay the construction process.

Section 73.3598(b) of the Commission's rules lists certain causes not under the control of a permittee that shall toll the period of construction for a construction permit.⁸ Among those causes are natural disasters, which includes hurricanes and earthquakes. Accordingly, tolling of WSJN-CD's Constructing Permit is hereby requested for an additional 180 days to allow Licensee additional time to construct WSJN-CD's new tower.

⁸ 47 C.F.R. § 73.3598(b).