WUNK-TV Transition Plan Progress Report

Consistent with the extended deadline for Phase 5 (necessitated by Hurricane Dorian), WUNK-TV in the early morning hours of September 11, 2019, ceased operation on its pre-transition channel and began operating on its post-transition channel, channel 25, utilizing an interim facility. That interim facility was a reduced power facility for WUNK-TV authorized by the September 11, 2019, grant of a DTV Special Temporary Authority (STA) application (LMS File No. 0000081000). On or about February 17, 2020 WUNK-TV began operating on a different interim facility, the licensed auxiliary facility for WUNK-TV (LMS File No. 0000106121).

Consistent with the use of a post-transition interim facility, UNC-TV received a grant of a tolling waiver request (LMS File No. 0000107045) to extend the previously granted Construction Permit extension request (LMS File No. 0000074595) for WUNK-TV's Construction Permit (LMS File No. 0000025767) extending the construction deadline to August 31, 2020.

First, the good news: the building modifications have been completed as well as have the transmitter installations (though a few minor punch list items remain to be addressed for the transmitter installations). A significant indicia of the progress that has been made on WUNK-TV's repack project is the fact that the general contractor's portion of the project has been "closed out" by the North Carolina State Construction Office ("SCO") because the SCO considers the GC's work to be complete.

Second, the less-than-good-news, which relates to the main antenna system, which is the most significant work remaining to be done on the project. This tower work includes (a) the removal of the existing main antenna (which cannot be retuned to WUNK-TV's post-transition channel) and (b) the installation of the permanent post-transition main antenna system in the same location. This work was rescheduled to be completed in July 2020. The situation with the COVID-19 pandemic has disrupted that construction timeline and has brought the antenna system work necessary to complete the WUNK-TV Repack Transition project substantially to a halt. More specifically, the antenna system contractor, RFS, had sub-contracted the antenna installation portion of the project to GTI – America, a Canadian-based company. In mid-March 2020, GTI – America instructed their tower crews working in the United States to return to Canada. GTI – America's crews departed the UNC-TV sites shortly after receiving those instructions. With the U.S. – Canadian border currently closed, it is unclear when the antenna installation work for WUNK-TV will be rescheduled; indeed, it is currently impossible to forecast a rescheduling of the work because the reopening of the U.S. – Canadian border is necessary before the tower crews can return to work in the United States. Rather than sit completely still, however, UNC-TV has been involved in conversations with RFS to explore other options that might allow for the antenna removal/installation portion of project to move forward sooner than the unknown date for the reopening of the border, but at this time those options haven't been worked out. As of early April, it appears unlikely that the project will be completed by August 31, 2020. The COVID-19 pandemic circumstances—which have directly affected and are continuing to directly affect the final construction steps for WUNK-TV—are beyond the control of the licensee, are continuing to develop, and are unpredictable. UNC-TV anticipates that it may need to file one or more "additional [tolling] notifications at six month intervals detailing how the act of God [i.e., the COVID-19 pandemic] continues to cause delays in construction, any construction progress, and the steps it has taken and proposes to take to resolve any remaining impediments" pursuant to Section 73.3598(d) of the Rules. At an

appropriate time, the licensee will seek further guidance from the Commission Staff about the applicable tolling process.

If necessary, UNC-TV may submit additional budget updates for FCC Form 399. Among other things, these updates may reflect costs to address unforeseen issues, and additional professional services costs. Further budget adjustments may be necessary as this project continues.

As of this early April 2020 filing, the completion of the installation work and commencement of final post-transition operations utilizing the station's main facility is, as referenced above, unknown. This is primarily due to the uncertainty of the duration of the necessary closings and restrictions that have been put in place to limit the spread of and attempt to mitigate—locally, regionally, nationally, and internationally—the effects of the COVID-19 virus. Beyond that, it is believed the biggest remaining issues are (i) the availability and scheduling of the necessary skilled manpower required to properly and safely perform the remaining tasks, (ii) the availability and scheduling of the specialized equipment required to safely perform the work, and (iii) the weather conditions to allow completion of the required work at the site. While UNC-TV's objective is to have the project completed as soon as possible, certain elements of the project – including the COVID-19 pandemic and weather – are beyond UNC-TV's control.

To reiterate, WUNK-TV is operating on its post-transition channel using its licensed auxiliary facility on an interim basis until the main antenna system installation can be completed. Consistent with UNC-TV's North Carolina state statutory mission to provide noncommercial educational service to the residents of North Carolina, the interim system currently being used attempts to replicate as much as practically possible the population served by the final, full post-transition facility. When appropriate, UNC-TV will file the required license to cover application for its proposed post-transition facility.

It bears repeating that The University of North Carolina (UNC-TV), Licensee of WUNK-TV, Greenville, North Carolina, is a governmental agency of the State of North Carolina. As a state entity, it is legally required to comply with certain state requirements, restrictions, and policies regarding construction projects and the purchasing of goods and services. UNC-TV's repack transition project for 11 full-power television stations is no exception, and UNC-TV is required to abide by the applicable construction, contracting, and purchasing requirements, restrictions, and policies for all 11 stations, including WUNK-TV. Significantly, as UNC-TV has previously reported while UNC-TV's project is considered 11 different projects by the FCC, to the State of North Carolina and its representative agencies it is considered one project. The two state government agencies that are extensively involved in UNC-TV's repack (the State Office of Purchasing and Contracts ["P&C"] and the State Construction Office ["SCO"]) required UNC-TV to bundle together all 11 station repack transitions as one unitary project request to them. While the 11 repack projects (including WUNK-TV) have so far progressed in a manner that is consistent with the Commission's nationwide transition expectations, UNC-TV's position within the State Government of North Carolina should remain an important consideration for the Commission as these projects continue to progress toward completion.

In short, UNC-TV's compound, complicated lodestar for this entire repack enterprise is timely completion of the repack with full compliance of all applicable state and federal regulations while—most importantly—keeping the station operating with as much coverage areas as possible with the least possible negative impact to viewers.