

Request for Legal STA Waiver and Modification of Assigned Transition Phase for Station WNMU, Fac. ID 4318, Marquette MI

The Board of Trustees of Northern Michigan University (“NMU”), the licensee and permittee of Station WNMU, Fac. ID 4318, Marquette, Michigan, has been diligently proceeding to construct its CP for transition to Channel 8 since its modified CP for expanded facilities was granted on July 12, 2017. However, as NMU will now show, its progress has been hampered by health and construction company delays related to the COVID-19 virus that are beyond its control.

WNMU respectfully requests permission to move its assignment as a Phase 9 repack station to a Phase 10 station due to the impact the COVID-19 virus is having on broadcast transmission construction activities and the need for enhanced school educational resources. WNMU management recently received word from its tower contractor, FDH Stainless that Erickson Incorporated has recently suspended all helicopter operations due to COVID-19 safety concerns. FDH believes that CHI Aviation will soon do the same, which places stations that rely on helicopter operations for top mount antenna replacement at risk for significant construction delays. FDH Stainless has requested that WNMU seek permission to become a Phase 10 station to solve severe scheduling issues their company now faces.

Additionally, WNMU has been working closely with K-12 school districts who wish to begin using the station’s day-time educational programs to facilitate the delivery of remote instruction to home-bound students. Students will likely need to have access to these broadcasts through the end of May 2020 which becomes problematic if WNMU must adhere to its mandated change-over date of May 1, 2020. Specifically, WNMU is concerned about coverage changes that will likely occur in switching from its current channel 13 assignment to channel 8. The impacts associated

with consumer channel rescanning and changes to the station's signal coverage may well cause some viewers to temporarily lose reception which educators believe will disrupt the learning process that is now so critical during the nation's health pandemic.

Finally, WNMU and WMOW, Crandon, Wisconsin are linked stations for Phase 9 because WNMU is "upstream" from WMOW. And WMOW has informed NMU that it also sees the need to move to Phase 10 to complete its repack construction.

Put differently, WNMU's construction permit to move to Channel 8 expires on May 1, 2020, and it is clear that it is now impossible for it to meet that deadline. NMU apologizes for not filing this request by February 3, 2020, but the COVID-19 reason that it cannot meet the May 1 deadline did not become apparent until very recently, and NMU was striving to find other ways to complete construction by the May 1 deadline. Therefore, NMU is now obliged to file a Legal STA request to change its Assigned Transition Phase to Phase 10. Station WNMU is currently in Transition Phase 9, which expires on May 1, 2020. **For good cause shown, NMU now respectfully requests a late-filing waiver so that WNMU may be assigned to Phase 10, which expires on July 3, 2020.**

NMU is hopeful that the remaining work can be accomplished by the July 3, 2020 transition deadline, and therefore must request a compliance delay. Since WNMU is "linked" with Station, WMOW and WMOW is also requesting a switch to Phase 10 transition, delaying WNMU's transition until as late as July 2020 should not have any adverse effect on the Commission's overall transition plan. In other words, WMNU moving late should not create any interference problem or require coordination with other stations.