

Request for Tolling of Construction Permit – WKEF(TV)

WKEF Licensee L.P., licensee of station WKEF(TV), Dayton, OH (FIN 73155) (“WKEF” or the “Station”), pursuant to Section 73.3598(b) of the Commission’s rules, respectfully requests a waiver of the Commission’s tolling provisions for the Station’s post-auction construction permit (“CP”) for Channel 34 (LMS File 0000034522, as extended in LMS File 0000086506). The Station is currently operating on its post-auction Channel 34 using interim facilities pursuant to special temporary authority (LMS File No. 0000105954). Based on the unusual and unexpected circumstances provided below, the Station respectfully requests tolling of the Station’s CP for an additional period of 180 days from April 15, 2020 until October 12, 2020.

The Station has made significant progress in constructing its post-transition facilities. As of this filing, the new transmitter, filter, combiner and RF components have arrived. The post repack top mount antenna has been installed, and the Station is operating on its post-repack channel using the existing transmitter that has been retuned. Installation of the new transmitter has been delayed due to unavailability of transmitter crews. As Media Bureau staff is aware, the Station’s engineers, tower crews and transmitter crews have been unable to travel due to the COVID-19 pandemic, resulting in further delays.

Consequently, the licensee respectfully requests that its CP be tolled since it is not able to complete its permanent post-repack facilities at this time and therefore is not able to cover its CP with a license application. The licensee seeks an extension of time of 180 days to complete construction of the Station’s post-transition facility.

The Station respectfully submits that the instant request will not adversely impact the repack efforts of other stations because the Station will continue to operate on its post-repack channel. Furthermore, the Station respectfully submits that a grant of the instant CP tolling request would be in the public interest because it would allow the Station to continue operating without disruption of service to the public.