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BY ELECTRONIC MAIL

April 10, 2020

Barbara Kreisman, Chief
Video Division
Media Bureau
Federal Communications Commission
Washington, D.C. 20554

RE: Extension of License
KEVE-LD, Vancouver, Washington
Facility ID No. 67878

Dear Ms. Kreisman:

I am writing on behalf of my client, the Southern Oregon Conference Association of Seventh-day Adventists (“SOC”), licensee of low power television station KEVE-LD, Vancouver Washington (Facility ID #67878). As of April 12, 2020, KEVE-LD will have been silent for 12 consecutive months and its license will be subject to expiration pursuant to §312(g) of the Communications Act. This is to request an extension of the license beyond April 12, 2020, for reasons of equity and fairness as permitted by the statute.

Prior to the post-incentive auction repack, KEVE-LD operated on channel 36. It was displaced in the repack when KKEI-CD was assigned to channel 36. The Commission granted SOC’s application for a construction permit to move the station to channel 31 on February 13, 2019, in File No. 0000045458. The modification necessitated removal and replacement of the station’s antenna. KKEI-CD was assigned to Phase 3 in the repack, for which testing was authorized to begin on April 13, 2019. Consequently, KEVE-LD was required to cease operating on channel 31 not later than April 12, 2019. The station went silent on that date pursuant to a Special Temporary Authority in File No. 0000071603.

SOC was unable to devote resources necessary to build out the modifications authorized in the displacement construction permit without the reimbursement assistance that would come from the Television Broadcaster Relocation Fund. The procedures for claiming reimbursement for LPTV stations from the Fund were not established until later in 2019. SOC duly filed its Eligibility Form 399 on November 14, 2019, in File No. 0000089409, and submitted its cost estimate on Form 399 on November 15, 2019, in File No. 0000090118.

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SOC did not receive notice from the FCC of the allocation of funds for its reimbursement until it received an email dated March 26, 2020. A copy of that email is attached. However, by that date, as is well-known, the country was suffering the effects of the COVID-19 pandemic. A national state of emergency had been declared by President Trump on March 13, 2020. On March 23, 2020, Oregon Governor Kate Brown issued a “Stay-Home, Save-Lives” executive order. This order mandated work-from-home to every extent possible and the closure of targeted businesses. It also required that any continued business activity be performed in a manner consistent with the CDC’s physical distancing requirements. The transmitter site authorized in the construction permit is in Oregon, at the antenna structure identified by ASRN 1035761.

The period of time between the firm announcement of the allocation of funds for the KEVE-LD rebuild on March 26 and the potential expiration of the station’s license on April 12 is less than three weeks. Even under normal circumstances, this would be an impossibly short period of time to complete the modifications authorized in the construction permit. The current pandemic-related restrictions on the movement and activities of the personnel working for or with vendors, tower climbers, engineering firms, and the licensee made completion by April 12 beyond impossible.

The Commission has already acknowledged that the pandemic is making it difficult, if not impossible, for broadcasters to meet previously established construction deadlines. In a Public Notice released on March 17, 2020 (DA 20-282), the Commission offered guidance to stations in Phase 9 of the repack schedule. The established deadline for Phase 9 stations to complete their modifications is May 1, 2020. Phase 9 stations experiencing pandemic-related delays were invited to request waivers and reassignment to Phase 10.

KEVE-LD is similarly affected by conditions beyond the licensee’s control which have made it impossible to return the station to the air prior the end of a 12-month period of silence. SOC respectfully requests that the Commission exercise the discretion that it has under §312(g) to extend the license for a station whose silent period has been prolonged beyond 12 months due to circumstances beyond the licensee’s control. To allow for a reasonable period of time in which to complete construction of the authorized modifications, SOC requests that the license for KEVE-LD be extended until six months after the later of (1) the expiration or termination of the national state of emergency, or (2) the expiration or termination of the “Stay-Home, Save-Lives” executive order of the Governor of Oregon.

Thank you for your consideration of this request. Please contact the undersigned should you need additional information.

This request is being filed via LMS as a request for an extension of time against the license granted in File No. BLDLTL-20101028ABP.

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Sincerely,

/s/
Donald E. Martin

cc: Kevin Harding
Evan Morris

Subject: FCC Reimbursement New Allocation for Facility ID 67878

From: IT Service Desk <fccprod@midatl.service-now.com>

Date: 3/26/2020, 11:17 AM

To: <Herald.Follett@oc.npuc.org>, <tony@Qcomm.tv>, <jonathan.russell@oc.npuc.org>

Dear Reimbursement Participant,

An allocation has been processed for your facility, Facility ID 67878. Based on the currently submitted estimates of 482,405 and a Verified Estimates amount of 251,082 as of 2020-03-26 11:16:14 EDT, this facility has been allocated 213,419.7 for a current allocation percentage of 85%.

Allocations and disbursement may be viewed in the CORES system, though new allocations may not process for one or more business days.

Reimbursable expenses which have been approved but not disbursed due to insufficient allocation will automatically be forwarded for processing.

If you have any questions about this action, please contact the reimbursement help desk at 202-418-2009 or email reimburse@fcc.gov.

Sincerely,

The Reimbursement Team

Ref:MSG4550231

— Attachments: —

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