

Reasons Beyond Licensee's Control for Extension of Construction Permit

WDEF-TV, Inc., licensee of WDEF-TV, Chattanooga, Tennessee, hereby seeks an extension of its construction permit, File No. 0000026651, for its repack facilities. While WDEF-TV has until recently believed that would be able to construct its final facilities by its Phase 10 deadline, it has become clear that the delays created by work and travel restrictions mandated as a part of the response to the COVID-19 pandemic have made it impossible to complete construction of its construction permit facilities by the deadline.

WDEF-TV understands that, because it is a part of a group of linked stations, it nonetheless must change channels by the Phase 10 deadline. Accordingly, WDEF-TV is concurrently herewith requesting special temporary authority to operate from a smaller tower immediately adjacent to its licensed tower, which is the tower specified in its repack facilities construction permit.

WDEF-TV's initial plan was to construct its repack facilities on its currently licensed tower by removing its current antenna and replacing it with a new antenna at the same height. As a part of this process, it is necessary either to strengthen the supporting tower in order to bring it into compliance with current building codes and safety standards or to replace the tower altogether. WDEF-TV anticipated that this work could be done in a timely basis so that the new facilities would be complete prior to the end of Phase 10 and the expiration of the station's construction permit for modified facilities.

What WDEF-TV did not anticipate, however, were the delays caused by restrictions associated with the COVID-19 pandemic. Because of travel and other restrictions, it has not been possible for the necessary engineers to visit the site to make the necessary determinations about how to proceed with either reinforcement or replacement of the tower or the necessary tower construction workers to rebuild or reinforce the main tower. While these restrictions are beginning to loosen, the result of the delays in being able to move forward is not only a backlog in work that still needs to be done but a shortage of time in which to accomplish it. Because substantial tower work is involved, it will consume more than the relatively brief amount of time remaining. Consequently, the only practical solution is temporarily to move the WDEF-TV facilities to an adjacent, shorter tower also owned by WDEF-TV.

While this tower also requires some reinforcement to meet the required codes, the work can be accomplished much more quickly. Without the use of these temporary facilities, it will not be possible for WDEF-TV to meet the deadline for changing channels. Because these facilities are planned to be only a temporary stop-gap measure until the final determination about reinforcing or rebuilding the tower is made and construction work can be completed, it is necessary to extend the existing construction permit for the permanent facilities. While some uncertainty remains as to when construction can be completed under current restrictions, WDEF-TV believes that the project can be accomplished within six months.