

WHRO-TV – Request for Extension of Time to Construct
LMS File No. 81777

Hampton Roads Educational Telecommunications Association, licensee of noncommercial educational TV station WHRO-TV, Hampton-Norfolk, VA (“WHRO”), requests an extension of time to complete construction of its permanent post-auction facilities. *See* 47 C.F.R. Section 73.3700(b)(5)(iv).¹ WHRO requests an additional 180 days to construct, *i.e.*, until December 30, 2020.

WHRO was assigned to transition from Channel 16 to Channel 31 in Phase 9 of the repack pursuant to the Closing and Reassignment Public Notice, with a completion date of January 17, 2020.² WHRO’s repack plan called for, among other things, replacement of the station’s top-mount primary antenna and over 1300 feet of transmission line. WHRO’s existing main antenna is, and its post-repack antenna will be, shared with three other stations, WTVZ-TV, Norfolk, VA (Facility ID 40759), WTKR-TV Norfolk, VA (Facility ID 47401) and WGNT(TV), Portsmouth, VA (Facility ID 9762). Over the past months, WHRO has experienced delays scheduling a tower crew to install the new top-mount antenna due to the COVID-19 pandemic. As a result, WHRO requested and was granted re-assignment to Transition Phase 10, with a construction deadline of July 3, 2020.³ Since its move to Phase 10, WHRO has experienced continuing scheduling delays due to the COVID-19 pandemic as well as weather. Nevertheless, the new top-mount antenna was installed on June 6, 2020, and work shifted to installation of the new transmitter, combiner, and transmission line. Unfortunately, as a result of the ongoing delays, the new transmission line will not be installed by the July 3, 2020 deadline. Barring further setbacks, WHRO currently expects construction of the new transmission line to be complete a few weeks after the July 3 deadline. WHRO intends to transition to its post-repack channel on an auxiliary antenna for which it holds a construction permit.⁴

Because of unexpected setbacks, including those due to the COVID-19 pandemic, WHRO will not be able to complete buildout of its permanent post-repack facilities by the end of Phase 10 on July 3, 2020. Thus, WHRO respectfully requests that its construction permit for its post-repack facilities (LMS File No. 81777) be extended for 180 days, or until December 30, 2020. The requested extension of time will not impact the repack efforts of other stations because WHRO will cease operations on its pre-auction facilities and begin broadcasting on its post-auction channel prior to the conclusion of Phase 10.

¹ This request has been filed fewer than 90 days before WHRO’s current construction deadline. Because WHRO believed until recently that it would be able to complete construction of its permanent facilities prior to the July 3 deadline, it only recently determined that this extension request was necessary. WHRO thus respectfully requests a waiver of 47 C.F.R. § 3700(b)(5)(iv).

² *Incentive Auction Closing and Channel Reassignment Public Notice: The Broadcast Television Incentive Auction Closes; Reverse Auction and Auction Results Announced; Final Television Band Channel Assignments Announced; Post-Auction Deadlines Announced*, Public Notice, 32 FCC Rcd 2786 (WTB & MB 2017).

³ *See* LMS File No. 109905.

⁴ *See* LMS File No. 116290.