

Request for Second Extension of Special Temporary Authority Exhibit

B&C Communications, LLC (“B&C”), licensee of full power television station WPAN(TV), Fort Walton Beach, Florida (Facility ID No. 31570, “WPAN”), previously notified the Commission on October 29, 2019, that it had permanently ceased operations on its pre-auction Channel 40 on Saturday, October 19, 2019, and requested and was granted special temporary authority (“STA”) for WPAN to remain silent for up to six (6) months, to January 17, 2019, pending construction of its authorized repack Channel 21 facilities, see LMS File No. 0000087608, and the silent STA was then extended to July 15, 2020, see LMS File No. 0000099334.

B&C’s authorized repack Channel 21 facilities construction permit (LMS File No. 0000029983, the “Permit”) was granted based on use of an existing tower owned by iHeartMedia + Entertainment, Inc. (“iHeart”). As explained in more complete detail in an exhibit to the request for extension of the Permit that has been granted (LMS File No. 0000098343), B&C originally was going to lease tower space from iHeart, but then once iHeart went into bankruptcy, B&C agreed to purchase the tower from iHeart (so that B&C would have control over the tower and its repack Permit buildout). After much negotiations and delay, an agreement to purchase the tower was signed on May 16, 2019, with closing originally anticipated by July 29, 2019, but then after some delays with iHeart, the purchase actually closed September 24, 2019.

Overlapping that process, B&C had first an inspection report and then a structural analysis done on the tower, which showed that the tower would not support the WPAN antenna without substantial modifications. As explained in more complete detail in a request for tolling (or waiver of tolling) and second extension of the Permit that has been granted (LMS File No. 0000112110), after originally planning to replace the tower completely, B&C was advised that a tenant on the tower was terminating its agreement and removing its equipment from the tower, allowing B&C to return to a more cost and time effective strengthening of the tower. With this change in plans and some anticipated vendor delays due to the coronavirus national emergency, B&C has been granted an extension of the Permit to October 19, 2020 (which also marks 12 months after WPAN went off the air, and so the deadline for the station to return to the air).

Due to these factors which supported grant of the second extension tolling request, construction of the repack Channel 21 facilities authorized by the Permit could not be completed by July 15, 2020, to allow WPAN to return to the air. Therefore, B&C is also requesting a further extension of the STA for WPAN to be silent, for another approximately six months, to the new October 19, 2020 expiration date of the Permit (B&C notes that it was not able to file this request for extension prior to the expiration of its prior silent STA authority, until the second tolling extension of the Permit was granted, and then initially LMS still did not allow filing specifically as for an extension of a silent STA, so initially the request was filed as for a legal STA, LMS File No. 0000118187, which may now be dismissed). The public interest would be served by grant of this request, since it will allow B&C to complete the work necessary for WPAN to return to the air on its repack Channel 21, by the current October 19, 2020 expiration date of the Permit.