

Amended Request for Reinstatement and Extension

America-CV Station Group, Inc. (“ACV”), licensee of WJWN-TV, San Sebastian, Puerto Rico (Facility ID No. 58342) (“WJWN-TV”), pursuant to FCC staff request, hereby amends its pending request for Special Temporary Authority (“STA”), filed on May 4, 2020, for reinstatement and extension of WJWN-TV’s license through September 28, 2020 (LMS File No. 0000113086). Grant of STA would be in accord with the proviso set forth in Section 312(g) of the Communications Act, as amended (the “Act”), which permits the Commission to allow a station to be silent for more than 12 months if doing so would “promote equity and fairness.”¹

BACKGROUND

On September 18, 2018, pursuant to the Media Bureau’s August 30, 2018 Public Notice,² ACV requested an extension of its for WJWN-TV to remain silent beyond the first anniversary of it going off the air due to destruction caused by Hurricane Maria.³ The Commission granted the extension request on September 26, 2018.

On March 5, 2019, ACV requested a further extension of its Silent STA to install and test WJWN-TV’s new antenna and transmitter, as well as to complete the electrical wiring at the site.⁴ The Commission granted the extension request on March 7, 2019.

On September 20, 2019, ACV requested a second further extension of its Silent STA to complete installation and testing of WJWN-TV’s new antenna and transmitter, as well as completion of electrical and wiring at the site.⁵ The Commission granted the extension request on October 16, 2019.

On March 16, 2020, ACV requested a third further extension of its Silent STA to complete installation and testing of WJWN-TV’s new antenna and transmitter, as well as completion of electrical and wiring at the site.⁶ ACV also simultaneously requested that tolling on WJWN-TV’s construction permit for post-auction facilities (LMS File No. 0000027870) be extended a further 180 days.⁷ The Commission granted the tolling extension request on March

¹ 47 U.S.C. § 312(g).

² *Media Bureau Provides Guidance for Broadcast Licensees Still Rebuilding in the Aftermath of Hurricanes Irma and Maria*, Public Notice, 33 FCC Rcd. 8368 (2018).

³ LMS File No. 0000059651.

⁴ LMS File No. 0000068289.

⁵ LMS File No. 0000081786.

⁶ LMS File No. 0000108042.

⁷ LMS File No. 0000108043. *See also* LMS File Nos. 0000066078 (Construction Permit extension), 0000067189 (tolling request) & 0000082011 (tolling extension request), *as amended* 0000108043.

30, 2020, and the Silent STA extension request on March 31, 2020 – both for periods expiring September 28, 2020.⁸

DISCUSSION

It is possible that WJWN-TV will be able to complete construction of and commence operations with the facilities authorized in its Construction Permit post-auction facilities by September 28, 2020. As further detailed below, WJWN-TV, however, is currently attempting to resume on-air operations in the meantime at reduced power.

The recent COVID-19 outbreak in Puerto Rico has hampered ACV’s efforts in scheduling the engineers and construction crews necessary to complete construction of WJWN-TV’s post-auction facilities. Currently, Puerto Rico restricts entry to the island only to persons receiving a negative COVID-19 test within the previous 72 hours. ACV’s engineers and construction crew are located in the mainland United States. Accordingly, once ACV’s engineers and construction crew are all able to obtain a negative COVID-19 test less than 72 hours old, it will be able to complete construction of WJWN-TV’s post-auction facilities.

Furthermore, once ACV is able to schedule the necessary engineers and construction crew, it will take approximately 4 days to complete construction of WJWN-TV’s post-auction facilities. The following items must be completed to finish construction:

<u>Transmitter</u>	<u>Description of Work</u>	<u>Estimated Timeframe</u>
Parallax and E-Compact Transmitters	Sweep Filters to ensure they are compliant to the mask requirement	1 day
Parallax Transmitter	Review mechanical installation and turn on/ power up transmitter	1 day
Parallax Transmitter	Perform proof of performance	1 day
E-Compact Transmitter	Perform proof of performance	1 day

ACV’s engineers, however, are not available until mid-September 2020 to complete the above work on WJWN-TV. Of course, due to site and scheduling delays for other projects, ACV’s engineers may be available before mid-September 2020 to complete construction of WJWN-TV’s post-auction facilities. ACV’s engineers, however, cannot at this time commit to completing construction of WJWN-TV until at least mid-September 2020. Accordingly, assuming that ACV’s engineers are able to receive a negative COVID-19 test within 72 hours before entering the island, ACV believes that construction of WJWN-TV’s post-auction facilities can be completed by the end of September 2020.

⁸ See Letter from Barbara A. Kreisman, Chief, Video Division, Media Bureau, FCC, to ACV at 1 (Mar. 30, 2020).

Furthermore, ACV is currently attempting to resume operations with WJWN-TV at reduced power. ACV, however, is currently encountering technical difficulties which is preventing WJWN-TV's resumption of operations. Should ACV successfully resume operations with WJWN-TV at reduced power, ACV shall promptly notify the Commission and file any necessary STA requests.

Grant of this STA request is clearly in the public interest as it will allow WJWN-TV to resume providing service to the residents of Puerto Rico at either reduced power or its post-auction facilities once they are completed – hopefully by the end of September 2020.

CONCLUSION

For these reasons, pursuant to Section 312(g) of the Act, ACV respectfully requests reinstatement and extension of WJWN-TV's license through September 28, 2020 to conform with the tolling expiration date for WJWN-TV's construction permit for post-auction facilities.