

Request for Extension of Tolling of Construction Permit
WUJA(DT), Caguas, Puerto Rico (Facility ID No. 8156)
LMS File No. 0000059688

Caguas Educational TV, Inc. (“Caguas”), licensee of WUJA(DT), Caguas, Puerto Rico (Facility ID No. 8156) (“WUJA”), pursuant to Section 73.3598(b) of the Commission’s rules,¹ respectfully requests an extension of tolling of WUJA’s repack construction permit (“Construction Permit”).² Further tolling of WUJA’s Construction Permit is necessary due to damage sustained by WUJA during Hurricane Maria, and Caguas’ continuing efforts to complete construction WUJA’s post-auction facilities as authorized by WUJA’s Construction Permit.

As the Commission is well aware, Hurricane Maria devastated the island of Puerto Rico in October 2017. WUJA was one of the many stations damaged during the storm. In fact, WUJA’s tower was damaged beyond repair.

On January 11, 2018, the Media Bureau granted Caguas’s request to modify WUJA’s post-auction transition phase deadline to permit WUJA to transition to its post-auction channel 24 prior to the start of Phase 1 due to damage sustained to its transmission facilities during Hurricane Maria.³ WUJA was assigned a new testing period start date of July 1, 2018, and was required to cease operation on its pre-auction channel by August 1, 2018. WUJA has since gone on the air on its post-auction channel under interim facilities via Special Temporary Authority (STA) with its shared station, WDWL(DT), Bayamon, Puerto Rico (Facility ID No. 4110).⁴

On August 1, 2018, the FCC extended WUJA’s Construction Permit to January 28, 2019.⁵ Then, on April 5, 2019, the FCC granted Caguas’ tolling request for WUJA’s Construction Permit – which tolled the expiration date for WUJA’s Construction Permit until October 2, 2019.⁶

On November 15, 2019, the FCC granted Caguas’ first tolling extension request for WUJA’s Construction Permit – which tolled the expiration date for WUJA’s Construction Permit

¹ 47 C.F.R. § 73.3598(b).

² LMS File No. 0000059688.

³ *See generally Incentive Auction Task Force and Media Bureau Grant Waiver of the Post-Auction Transition Schedule and Modify the Transition Phase Assignments of Repacked Stations in Puerto Rico and the U.S. Virgin Islands*, Public Notice, 33 FCC Rcd. 138 (IATF/MB 2018).

⁴ LMS File No. 0000076230.

⁵ LMS File No. 0000058675; Letter from Hossein Hashemzadeh, Deputy Chief, Video Division, Media Bureau, LMS File No. 0000058675 (Aug. 1, 2018).

⁶ LMS File No. 0000067238; Letter from Barbara A. Kreisman, Chief, Video Division, Media Bureau, FCC, to Caguas Educational TV, Inc., LMS File No. 0000067238 (Apr. 5, 2019).

until March 30, 2020.⁷ Most recently, on March 30, 2020, the FCC granted Caguas' second tolling extension request – which further tolled the expiration date for WUJA's Construction Permit until September 28, 2020.⁸

The effects of the unprecedented COVID-19 pandemic continue to hamper Caguas' efforts in completing construction of WUJA's new tower. WUJA has been working on local permits for the new antenna structure facilities, but the closure of the Puerto Rico government agencies until September 14, 2020 due to the pandemic has further delayed completion of construction of WUJA's new tower. With the reopening of the government agencies in Puerto Rico on September 14, 2020, WUJA is currently diligently working to secure the necessary permits for construction of WUJA's new tower and hopes to secure these permits in the next few weeks.

Section 73.3598(b) of the Commission's rules lists certain causes not under the control of a permittee that shall toll the period of construction for a construction permit.⁹ Accordingly, Caguas hereby requests tolling of WUJA's Construction Permit for an additional 180 days is requested to allow Caguas additional time to construct WUJA's new tower.

⁷ LMS File No. 0000082686; Letter from Barbara A. Kreisman, Chief, Video Division, Media Bureau, FCC, to Caguas Educational TV, Inc., LMS File No. 0000082686 (Nov. 15, 2019).

⁸ LMS File No. 0000108378; Letter from Barbara A. Kreisman, Chief, Video Division, Media Bureau, FCC, to Caguas Educational TV, Inc., LMS File No. 0000108378 (Mar. 30, 2020).

⁹ 47 C.F.R. § 73.3598(b).