

WYSJ-CA – Request for Tolling of Construction Permit

JBS, Inc., licensee of station WYSJ-CA, Yorktown, Virginia, FIN 35134 (“WYSJ”), hereby requests tolling of its construction permit (LMS File No: 0000034756, as extended in File No. 0000096336 and tolled in File No. 0000117142) (“CP”) so as to allow WYSJ to complete construction of its repack facilities, and further requests a waiver of the Commission’s rules to the extent necessary. *See* 47 C.F.R. Section 73.3598(c).¹ WYSJ hereby respectfully requests that the CP be tolled for a period of 90 days; *i.e.*, from October 13, 2020 until January 11, 2021.

WYSJ was assigned to transition from Channel 19 to Channel 36 in Phase 7 of the post broadcast incentive auction repack. Because of delays in completing construction of post-repack facilities resulting from equipment delivery and tower crew delays due in part to restrictions imposed because of the COVID-19 pandemic, WYSJ requested and was granted an extension of its CP until July 15, 2020, and tolling until October 13, 2020.

WYSJ has made substantial progress in building its post-repack facilities. The post-repack transmitter has been delivered and is ready to be installed, and the new antenna is at the tower site and is also ready for installation. WYSJ is currently working with tower crews to finalize an installation schedule. However, issues with scheduling a tower crew and a dispute with the tower landlord have caused further delays, and WYSJ has determined that it will not be able to complete construction of its post-repack facilities by the October 13, 2020 deadline.

Thus, WYSJ respectfully requests that its CP be tolled for a period of 90 days since it will not be able to operate on its post-repack facilities and therefore will not be able to cover its CP until after the current CP expiration date. WYSJ ceased operations on January 17, 2020 in order to avoid interference with downstream dependent station WAVY-TV, and has remained silent since that date. WYSJ is filing a concurrent STA request seeking authorization to continue to remain silent in order to avoid interference with WAVY-TV. WYSJ will resume operations on post-repack Channel 36 once its post-repack facilities have been completed. Grant of this CP tolling request would be in the public interest because it would allow WYSJ sufficient time to complete construction of post-transition facilities with which it can then continue to serve the public.

¹ This request has been filed fewer than 30 days before WYSJ’s current construction deadline. Within that 30-day period it has become apparent that delays in scheduling tower crews will make it impossible to meet the October 13, 2020 construction deadline under the CP. WYSJ therefore respectfully requests a waiver of 47 C.F.R. §73.3598(c).