

Signal Above, LLC (Signal Above) licensee of WDCN-LP Fairfax, Virginia seeks a six-month extension until January 10, 2022 to finish construction of its digital buildout. WDCN is currently operating as analog channel 6 and proposes to flash cut to digital channel 6¹.

By notice released July 13, 2020² (First Notice) and by subsequent notice released March 6, 2020, the Commission established a deadline of March 15, 2021 for any request seeking an extension of the July 13, 2021 digital transition date. On the digital transition date all low-power television analog facilities are required to operate as digital facilities. The Notice requires a good cause showing for any extension request that demonstrates failure to meet the construction deadline "due to circumstances that are either unforeseeable or beyond the licensee's control and that the licensee has taken all reasonable steps to resolve the problem expeditiously. Such circumstances include, but are not limited to (1) delays in obtaining zoning or other approvals, or similar constraints;(2) inability to obtain equipment; or (3) financial hardship" First Notice at 1

Signal Above is requesting an extension due to circumstances beyond its control. Signal Above began diligently taking the necessary steps to construct its digital station in March, 2020 almost 18 months before the July 13, 2021 deadline and nearly 5 months before the Commission's First Notice. Despite ongoing efforts involving many phone calls, meetings and over 250 emails there remain site availability and equipment availability issues beyond Signal Above's control which seriously jeopardize the ability to complete construction by July 13, 2021

In March 2020 Signal Above reached out to its consulting engineer to determine options available for its digital buildout. Engineering studies indicated that digital channel 6 could not operate from the current tower site due to spacing issues. In addition, Signal Above's current lease with American Tower expires in December 2021. Immediate steps were taken to explore other tower options. After canvassing the limited number of tower sites that could work, our engineering consultants reached out to SBA in May, 2020. SBA owns and leases space on a tower in Merrifield, Virginia. Preliminary engineering for the site was prepared and Signal Above through its engineers completed an online application requesting space for its antenna and transmission equipment. Preliminary feedback indicated space was available on the tower but it turned out the tower is on land owned by VDOT and there was no assurance of any space for the transmitter and related transmission equipment. It became evident that a fair amount of on-site work was required to work out critical details. Signal Above retained an additional experienced field engineer to handle the necessary on-site work to locate ground space and ensure to SBA's satisfaction that the technical proposals were workable. At least two on-site field visits were made to explore various options for ground leases and possible available space for the transmitter. As a result of these trips there was some success in finding limited but

¹ Signal Above has an outstanding construction permit for channel 8 which it is currently plans to dismiss in order to flash cut on channel 6. This action would not materially impact the DTV on air schedule.

² FCC public notice, DA-20-724, released July 13, 2020," Media Bureau Reminds Low-Power Television and Television Translator Stations of July 13, 2021 Digital Transition Date"

sufficient space for the transmitter and other necessary equipment. SBA then asked Signal Above to provide additional information to its pending application in order to get final approval and lease terms. SBA also required a structural analysis which was recently completed and passed. Signal Above has provided all the information requested by SBA but as of the date has not yet received lease terms.

Until a lease is executed Signal Above cannot order the antenna and other necessary equipment. The antenna is a custom directional antenna. Signal Above has contacted Propagation Systems Inc., the antenna manufacturer, to make arrangements for delivery of the antenna but has been advised of a 10 week or more time delay in delivery. This delay makes a timely buildout nearly impossible. Even assuming SBA signed a lease today there would be very little margin to lineup a tower crew and to timely install the antenna and all the related necessary equipment. Adding to the difficulty is the fact that there are only of very limited number of tower crews authorized to work on SBA towers.

Signal Above has also had numerous conversations with equipment providers. It has prepared lists of needed equipment and has obtained proposals for equipment. These companies include Broadcast Electronics, Anywave, Technalogix LTD, and Comark.

Covid 19 has been is an unforeseen disruptor in the ongoing effort to timely construct. It is has caused delay and difficulty in arranging necessary meetings, in scheduling delivery of equipment, in contacting certain personnel and has caused delay in many other unforeseen ways. It has also caused unforeseen financial difficulty. Signal Above revenues for the period March 2020 through March 2021 were 62% less than for the same period a year earlier. This is a disastrous scenario for obtaining financing.

Signal Above is requesting an extension because there is considerable uncertainty that construction can be completed by July 13 despite its ongoing efforts that began nearly 18 months ago. It was forced to find a new tower in a market with limited options. The SBA site had a number of unique issues which Signal Above at considerable expense and time has addressed. Even if as contemplated lease is signed soon, there is insufficient time for equipment delivery and installation. Compounding these unforeseen difficulties is Covid 19 which has caused delay in every arena as well as significant financial hardship. Signal Above will continue to devote its full time efforts to timely constructing.