

Application for Extension of Construction Permit for Digital LPTV Station

Call Sign: WEBU-LP
COL Webb, Mississippi
Fac ID 15657
File Number 0000139137

Additional information as requested:

(1) A detailed accounting of all steps taken to complete construction including dates for each action.

David Ellington, Owner of WEBU-LP signed on air in July 1988 and has broadcast on Channel 11 until high power station WTVB was awarded Channel 11 in the FCC station repack displacing WEBU-LP.

Consequently, the following actions were taken by WEBU-LP to continue broadcasting by starting the process to transition to a digital television station.

March 23, 2018 - Congress adopted the Reimbursement Expansion Act that allowed displaced LPTV stations eligible for reimbursement funding.

May 25, 2018 - WEBU-LP filed for a Digital CP as a displaced LPTV station during the displacement filing window.

September 27, 2018 – WEBU was awarded a Digital CP to broadcast on Channel 22 at tower site Registration Number: 1251755 254 Avery Road, Courtland, MS 38620. The tower was owned by Cellular South. Cellular South's tower leasing representative, Ike Andrews agreed to allow WEBU (owner David Ellington) to lease tower space for a reasonable rate whenever David Ellington decided to build WEBU-LD. It was only a verbal commitment and no legal agreement was signed at that time. However, it was good to know that the tower would be available when the time came.

September 16, 2019 – WEBU submitted FCC Form 399 to determine eligibility for reimbursement funding.

January 13, 2020 – Personal tragedy out of my control which effected the progress of my efforts to continue the Form 399 process. **See item 2. January 13, 2021**

January 22, 2020 – Received notice from the FCC that WEBU was determined eligible for certification and approved for funding.

December 28, 2020 – Received certified letter notification that Cellular South had sold their towers to American Tower Corporation, including the tower that WEBU-LD was authorized to locate on to fulfill the digital CP.

January 7, 2021 – WEBU received notice from the FCC that “this facility has been allocated 104,984.10 for a current allocation percentage of 92.5%.”

January 29, 2021 – David Ellington sent email request to American Tower Corporation requesting to lease space on tower (registration #: 1251755). This is the tower attached to the WEBU-LD CP.

February 7, 2021 – David Ellington, owner of WEBU received an email from American Tower Corporation which offered a lease deal. However, the cost tripled from the original rent cost that had been agreed upon with the former owner, Cellular South. There was no way WEBU could accept their offer. Accepting such an offer would cause WEBU to be destroyed financially.

March 12, 2021 – David Ellington, owner of WEBU files Application for Extension of Construction Permit for Digital Low Power Television Station Call Sign WEBU-LP. This was filed because Ellington felt that the July 13, 2021 deadline may not be met due to the fact that a workable financial deal with American Tower was taking so long and losing valuable time. David Ellington knew that the reimbursement funds would allow the station to be built and did not want to let the deadline run out and lose the funding the FCC had made available. So, applying for the extension was considered insurance to give time for WEBU to finish the digital conversion process.

April 21, 2021 – Then after 10 long weeks of negotiating back and forth, America Tower finally offered a reasonable deal that would allow me, David Ellington, owner of WEBU to accept. Much valuable time was lost due to the inability to secure the tower site that WEBU was authorized to transmit from in order to satisfy the CP. All the lost time was totally out of the control of WEBU. During this lost time the July 13, 2021 deadline got closer and closer.

April 28, 2021 – David Ellington, owner of WEBU answers the FCC request for more information about the extension request. Also, WEBU has now secured the tower site, called all vendors, tower climber company, and is going to make every effort to get on the air before the July 13, 2021 deadline. However, if some unforeseen delay happens that causes the deadline to be missed, this extension will be vital to keeping the reimbursement funding and getting WEBU the digital licensed. For these reasons, I David Ellington, ask the Commission to grant WEBU-LD at least a short extension that will guarantee finishing construction and securing WEBU-LD a license as a UHF LPTV station. I am not far now from getting it done.

(2) A detailed accounting of any and all circumstances outside of your control that prevented construction including dates of each circumstance.

January 13, 2021 - I David Ellington, owner of LPTV WEBU hesitated to mention the following information. However, the event was unexpected and out of my control. It is certainly a reason for my lost time working on this project during most of 2020. On January 13, 2020 my wife Nellie, of 46 years died suddenly with a massive heart attack. My life was turned upside down. Nellie supported me and helped me during all the years since 1988 when we first signed WEBU-LP on the air. I was depressed without her and just did not care much about anything for quite a long time including the job of continuing the timeline to build WEBU digital.

Further, during much of 2020 the terrible Covid 19 pandemic really increase the pressure on me to try to keep my business running and allowed me very little time to spend on building WEBU's digital CP. However, around October 2020, I started looking forward and knew Nellie would want me to finish what we had started. Slowly, my drive and enthusiasm returned and I started to continue the process to acquire the funding and get WEBU on air as a digital station. I did not want to make this as an excuse, but it happened and is the truth.

Also, much time was lost because of the sale of the CP tower site. The tower sale resulted in a long negotiating process with the new owner. Financially, I just could not accept a lease offer that could ruin my business. Without securing an affordable lease, WEBU would certainly fail. Consequently, for this financial reason, which was out of my control, valuable time was lost and a shorter window to get WEBU-LD licensed by July 13, 2021 resulted.

April 28, 2021 - Just recently, the loss of time beyond my control has caused more concern about the July 13th deadline. American Products LLC, the company who I was going to purchase the transmitter shelter from, informed me that their schedule for shelters is out until August 2021. So, now am forced to look at this late date for another shelter company that can meet my deadline.

(3) A detailed timeline plan of how and when you expect to complete construction and begin operations.

April 29, 2021 – Apply for tower lease with American Tower to secure space for WEBU-LD to meet FCC CP. Contact F&F Tower Company and secure tower crew for June 28, 2021 job to install antenna and run feed line on tower.

April 29, 2021 – May 7, 2021 – Place orders for shelter, antenna, and transmitter to meet June 28, 2021 construction start date. Contact M&K Concrete Finishing contractor to pour concrete shelter foundation before the June 28, 2021 construction date. Contact Self Electric to be ready to hook up shelter to tower site electric meter on June 28, 2021 construction date. Contact Wayne Dobson & Sons to have a lift truck on site to lift the communication shelter from the delivery truck and place on the concrete pad on June 28, 2021. Locate new company to build transmitter shelter and have it delivered to tower site by June 28, 2021.

June 28, 2021 – Proposed construction date to start construction at tower site. Note: M&F Concrete Company must finish the concrete slab for the shelter before June 28, 2021.

July 3, 2021 – Construction complete... Sign on air WEBU-LD

July 4, 2021 – Apply to FCC for license for WEBU-LD

April 28, 2021 - I believe that the above timeline can be met. However, my greatest fear is that if something out of my control causes more delays, the project might not meet the deadline and I will be responsible for the cost of all invoices. So, I will need this extension from the FCC in order to make sure the job will be completed as soon as possible if the July 13, 2021 deadline is not met. Reimbursement funding depends upon WEBU-LD signing on air and becoming licensed. Therefore, I have to get WEBU-LD licensed in order to receive the reimbursement funding which I need so badly. So, you can rest assured that in good faith I will finish this project as soon as possible. If the FCC will just grant me a short extension, it will insure a successful finish to the WEBU-LD project. I sincerely appreciate any consideration the Commission may give my situation.

David Ellington, Owner WEBU-LD