

## **Exhibit in Support of Further Tolling of Construction Permit**

ION Television License, LLC ("ION"), licensee of television station WPPX-TV, Wilmington, Delaware (FCC Facility ID No. 51984) (the "Station"), pursuant to Section 73.3598(b) of the Commission's rules, respectfully requests a waiver of the tolling provisions for the Station's post-auction construction permit ("CP") for Channel 34. See LMS File No. 0000034931, as extended in LMS File No. 0000072539, and CP period further tolled in LMS File No. 0000130065. The Station continues operating at reduced power on its post-auction Channel 34 using interim facilities pursuant to special temporary authorization ("STA") (LMS File No. 0000130624). Due to construction delays outside of ION's control, the Station respectfully requests tolling of the Station's CP for an additional 180-days.

ION continues to experience construction challenges at the tower site owned and operated by ABC, Inc. ("ABC") and CBS/Westinghouse of PA Inc. ("CBS") (ABC, together with CBS, collectively "Owner"), known as the Philadelphia Joint Venture Tower (the "Tower"). As stated in the Station's last tolling request, ION was awaiting a final antenna mount design and a construction timeline from CBS, manager of the Tower site.

ION has reached out to CBS on numerous occasions requesting an update on the construction project. In March, CBS informed ION that they were waiting to receive a finalized construction timeline from ABC and would forward that to ION upon receipt. On May 18, 2021, ABC notified ION that the engineering work had been authorized for the lattice structure design to replace the old CBS antenna. The new lattice structure will allow the new ABC antenna to be mounted on top and allow ION to mount the Station's permanent antenna on the side of the new lattice structure. To date, however, ION has not received a final antenna mount design or construction timeline.

As a result of this continuous delay, which is of no fault of ION, insufficient time remains to complete the extensive construction work required prior to the July 22, 2021 expiration of the Station's current CP.

Currently, the Station is not able to operate on its permanent post-repack facility. Accordingly, ION respectfully requests tolling of the Station's CP and an additional 180-days to complete construction of the Station's post-repack facility. This extension should allow the Station to work with the Owner to finalize plans for and complete the Tower modifications necessary for installation of the Station's permanent post-transition facility.

ION respectfully submits that a grant of this request of further tolling of CP would be in the public interest, because it would allow the Station to continue providing broadcast service to its viewers without disruption while construction of Station's permanent post-repack facility is completed. In support of this request, ION emphasizes that the Station transitioned on time by the Phase 4 completion deadline using interim facilities on its post-auction Channel 34. Therefore, grant of this request will not adversely impact the repack efforts of other stations.