

Amendment to Request for Waiver and Tolling of Construction Permit

WJAC Licensee, LLC, (“WJAC”), licensee of station W42DG-D, FIN 168229, hereby amends its pending request for tolling of its construction permit (File No.: 0000143002) (“CP”). The amendment includes a waiver of Section 73.3598(b) of the rules and more-fully describes how circumstances beyond its control have prevented timely-construction of facilities. The referenced construction permit was issued in connection with displacement from channel 42 to channel 26 and will expire on June 12, 2021.

The FCC granted original displacement application to modify facilities on January 29, 2020. During the course of planning and constructing the modified facilities, the underlying construction permit was modified twice to specify different antennas, most recently on April 6, 2021. The original tower had collapsed in November of 2019, so the station needed to move towers and purchase a new antenna. Despite this recent modification of permit, WJAC had purchased the new antenna and was on schedule to meet the June 12, 2021, deadline. However, due to circumstances beyond the licensee’s control, the tower owner recently informed WJAC that a structural analysis was necessary before the antenna installation could occur. The structural analysis is currently in progress. The antenna has been delivered and is on-site and it is fully anticipated that WJAC, in conjunction with the tower owner, will be able to install the antenna on the tower once the studies are complete and tower owner’s very recent concerns have been addressed.

As demonstrated above, the circumstances preventing timely-completion of construction are due to an unexpected last-minute event, are clearly beyond the station licensee’s control, and therefore justify waiver of Section 73.3598(b) of the rules and support the requested brief 31-day tolling of its construction permit from June 12, 2021, until July 13, 2021.

Further, waiver of Section 73.3598(b) of the rules is in the public interest as it will permit WJAC to complete construction of its displaced and facilitate the repack of broadcast facilities in the Johnstown, PA television market.