PURPOSE STATEMENT:

The purpose of this amendment is to include a waiver request as set forth below.

WAIVER REQUEST: Because this extension request is late-filed, Applicant requests a waiver of the construction permit extension filing deadline ("CP Extension Filing Deadline"), per the procedures set forth in the *Public Notice* dated June 11, 2021.[1]

In the *Public Notice*, Commission staff indicated that permittees for new digital LPTV/translator stations with July 13, 2021 expiration dates that find that they will need additional time to complete their new digital facilities may submit an application for extension of digital construction permit. Because the CP Extension Filing Deadline has already passed, Commission staff indicated that applicants must include a request for waiver of the CP Extension Filing Deadline.[2]

Under the Commission's rules, a waiver may be granted for good cause shown.[3] Waiver is appropriate where the "particular facts would make strict compliance inconsistent with the public interest."[4]

Applicant submits that good cause exists here for a waiver, because Applicant had intended not to construct the proposed facility, and has only recently filed an application to assign the unbuilt facility to the proposed Assignee, TV-49, Inc. ("Buyer"). The parties entered into an Asset Purchase Agreement on June 18th, 2021, thus making compliance with the CP Extension Filing Deadline impossible. As further explained in this extension request, the Buyer has committed to building the instant facility and has provided a timeline for construction. Rather than allowing the construction permit for this facility to be canceled, Applicant submits that the public interest would be served by granting this extension request, thus allowing the Buyer reasonable time to complete construction of the facility in order to bring free, valuable over-the-air programming to the viewing public.

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[1] *Media Bureau Reminds Certain Permitees of New Digital Low Power Television and Television Translator Stations of Upcoming July 13, 2021 Construction Permit Expiration Deadline*, Public Notice, DA 21-683, at 1-2 (MB June 11, 2021) ("*Public Notice*").

[2] *Id.* at 1-2.

[3] 47 C.F.R. § 1.3.

[4] *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).