

Request for Extension of Invoice Filing Deadline

Puerto Rico Public Broadcasting Corporation (“PRPBC”), licensee of Station WIPM-DT, Mayaguez, Puerto Rico (“Station”), hereby requests an extension of the deadline to submit invoices and related documentation to the Commission’s repack administrator associated with the buildout of the Station’s Post-Incentive Auction facilities, from October 8, 2021 until March 22, 2022.

As a noncommercial educational station that is operated as an arm of the government of Puerto Rico, the Station has limited financial resources, but nevertheless is devoted to serving viewers in Mayaguez and the surrounding areas with excellent public affairs programming. After the completion of the Incentive Auction, the Station timely filed a modification application for repacked facilities on Channel 32, as assigned by the Commission. However, in September 2017, before any construction could be completed, the Station’s tower and transmission facilities sustained damage due to Hurricane Maria. Because there was substantial damage caused to television stations licensed to communities throughout Puerto Rico, the Commission adjusted the transition deadline for affected stations.¹ Under the revised transition schedule, the Station was required to terminate operation on its pre-Incentive Auction channel no later than August 1, 2018.

Recognizing that it would not be able to complete the construction of its authorized post-Incentive Auction facility prior to the August 1, 2018 deadline, PRPBC requested and received authorization to extend the deadline for constructing its post-Incentive Auction facility (File No. 0000055292, as most recently extended by File No. 0000153938). Additionally, PRPBC has requested and received special temporary authority to operate with interim facilities while it worked to complete construction of its post-Incentive Auction facility (File No. 0000055290, as most recently extended by File No. 0000141199). A request for a further extension of the Special Temporary Authority (STA) currently is pending (File No. 0000153945), and the Station’s post-Incentive Auction construction permit now is due to expire on September 30, 2021.

The Station initially was assigned to Phase 3 of the Transition Schedule (revised in January of 2018 to Phase 0), meaning October 8, 2021 is the deadline for submitting all remaining invoices and documentation to the Commission’s repack administrator associated with the construction of the Station’s post-Incentive Auction facility. But as set forth herein, because of circumstances beyond PRPBC’s control, some of the Station’s expenses will be incurred near, or after, October 8, 2021. As a result, PRPBC may not receive all invoices and related documentation from outside contractors, which would then be sent to the Commission’s repack administrator for reimbursement, until well after October 8. Accordingly, PRPBC will not be able to submit its remaining invoices and other documentation for all of the work associated with the post-Incentive Auction facility by October 8.

It should be noted that PRPBC has taken substantive steps to complete the construction of its post-Incentive Auction facility, but, due to reasons beyond the Station’s control, those efforts

¹ See *Incentive Auction Task Force and Media Bureau Grant Waiver of the Post-Auction Transition Schedule and Modify the Transition Phase Assignments of Repacked Stations In Puerto Rico and the U.S. Virgin Islands*, Public Notice, 33 FCC Rcd 138 (2018).

have been delayed. In particular, because the Station is on the same tower as Station WNJX, and due to the lack of certified tower riggers from the continental United States, construction was delayed for many months. Although Station WNJX has been able to complete its work and now operates with its post-Incentive Auction facility, unfortunately, the Station has been unable to complete its work due to circumstances beyond its control.

Importantly, on April 1, 2021, the Puerto Rico General Services Administration (“PRGSA”) assumed control of the procurement and purchase procedures for PRPBC. That means that PRGSA now must approve the expense order for the storage and delivery of PRPBC’s equipment. Since April 1, 2021, PRPBC has contacted the PRGSA several times per week regarding securing the necessary approval. Unfortunately, despite PRPBC’s diligence in seeking such approval and for reasons beyond PRPBC’s control, the PRGSA has not provided that approval. PRPBC is hopeful that the PRGSA will issue its final approval soon, so that the Station’s equipment can be delivered to the transmitter site and work can begin.

Once the equipment is delivered to the Station’s transmitter site, installation may begin within two weeks thereafter, and PRPBC expects all work to be completed within just a few weeks after delivery. The Station’s antenna installation is complete and the transmission line has to be tested to verify if the efforts to dry the transmission line were successful. However, there could be some delays if additional work or replacement of the transmission line is necessary, or if there are additional delays beyond the control of PRPBC, such as hurricanes or earthquakes during the Fall, and the possibility of worsening COVID-19 infection rates, all of which are beyond PRPBC’s control.

Accordingly, PRPBC respectfully requests that the Commission extend the deadline to submit invoices and related documentation to the Commission’s repack administrator associated with the buildout of the Station’s Post-Incentive Auction facility, from October 8, 2021 until March 22, 2022. As set forth above, PRPBC has been diligently working towards getting the Station back on the air with permanent facilities that were destroyed by Hurricane Maria, but those efforts have been delayed to date due to circumstances beyond PRPBC’s control. In addition, unforeseen circumstances beyond PRPBC’s control could add to the delays associated with installing the Station’s transmitter, and therefore the submission of all required invoices and documentation.

Grant of this request would serve the public interest, as it would allow PRPBC to be fully reimbursed for all of the costs it has incurred associated with the repack, so that PRPBC can ensure that the Station is focused on serving viewers in Mayaguez, PR and the surrounding areas with excellent public television offerings. In addition, there would be no harm imposed on any other television station – or any other person or government – by granting this routine courtesy to PRPBC.

For the reasons set forth above, PRPBC respectfully requests that the invoice submission deadline be extended until March 22, 2022.