

## **Request for Extension of Invoice Filing Deadline**

The Greater Chattanooga Public Television Corp (“WTCI”), licensee of noncommercial educational PBS member Station WTCI, Chattanooga, Tennessee (the “Station”), requests an extension of the deadline to submit invoices and related documentation to the Commission’s repack administrator for reimbursement associated with the Station’s Post-Incentive Auction repack facilities. An extension is requested until March 22, 2022.

**Prior Tower History.** The Station’s original 250 foot tower was erected in 1969 when the Tennessee Department of Education started the noncommercial educational TV Station. In 1984, the Tennessee Department of Education deeded over all the assets of the Station to The Greater Chattanooga Public Television Corporation (WTCI), a local nonprofit corporation chartered to provide public TV to the area. In 1993, an additional tower of approximately 440 feet was erected at the WTCI transmission site very close to the old 1969 tower. This additional 440 foot tower is used by the local NPR noncommercial educational radio station in Chattanooga.

**New Repack Tower.** As a result of the Commission’s Incentive Auction in 2017, WTCI was notified that the Station was involuntarily re-assigned to transition from Channel 29 to Channel 35 in Phase 5 of the repack. WTCI determined that the existing tower could not safely hold the WTCI repack antenna – a new tower was required. Thus, in 2019, WTCI began work to erect a new repack tower, immediately adjacent to (approximately twenty (20) feet away from) the existing 1993 tower. The original 1969 tower and the nearby 1993 tower co-existed until 2019 when the old 1969 tower was removed in preparation for the new repack tower.

The new repack tower would exist entirely within the footprint of the 1993 tower and entirely replaced the old 1969 tower. Thus, WTCI expected that the proximity of the two towers and fact of “replacement” would not require an Environmental Assessment or a FONSI. In fact, WTCI was informed that had the overall repack tower height been less than 450 feet (as was expected), the prior ASR (#1042762) from the 1969 tower could have been updated to reflect a taller structure without triggering an EA, but unfortunately, the new tower ended up being a bit taller than 450 feet due to the size of the top-mounted antenna. Thus, after the repack tower was already constructed (and its final height was known), WTCI was informed that a new ASR was required and a full NEPA and Environmental Assessment had to be conducted for the new repack tower - despite the new repack tower being only approximately 20 feet from the nearly identical height 1993 tower.

WTCI submitted the Environmental Assessment on January 5, 2021. The FCC issued a Finding of No Significant Environmental Impact (FONSI) and new Antenna Structure Registration (ASR) for the new repack tower on April 15, 2021. The FONSI and ASR contained special conditions requiring bird flight diverters on all guy wires on the tower, notwithstanding the fact that the nearby 1993 existing tower (approximately 20 feet away) of approximately the same height, was not required to have bird diverters and despite the fact that no vendors mentioned bird diverters during the tower vendor selection process. See image at Attachment 1.

After receiving the ASR and FONSI condition, WTCI explored the possibility of a waiver of the bird diverter condition with FCC staff, but determined that a waiver could not be readily granted. Thus, WTCI researched how to add bird diverters to the existing 2019 tower. In the tower industry, bird diverters are attached to guy wires pre-tower construction (diverters are either woven into one strand of the guy wire or clamped to the wire with a U-bolt.). If WTCI were to use the industry approach, the Station's tower guy wires (and, therefore, the entire tower) would need to be dismantled in order to install the bird diverters. Such an approach would be highly unusual, highly problematic and present multiple safety challenges. WTCI rejected that approach.

After consultation with the FCC biologist, WTCI began to make inquiries about adding bird diverters "after-market" by drone to the very steep guy wires for its repack tower. WTCI determined that there was no ready market solution. A custom drone attachment system would have to be designed and tested for mounting to WTCI's steeply angled guy wires. Current drone attachment systems are only designed for horizontal power cables. The vendor for the bird diverters did not have a system designed to install bird diverters on guy wires, so WTCI determined to design and implement the bird diverter installation on its own. Thus, WTCI is undertaking a highly innovative and novel approach to meet the FONSI bird diverter condition.

WTCI obtained 10 sample Raptor Clamp bird diverters in June 2021 and tested installation near ground level using a pole. See Attachment 2. WTCI proceeded to order the full complement of bird diverters in June 2021. Delivery of the bird diverters was delayed several times by the vendor. On Tuesday, September 21, 2021, one hundred fifty eight (158) bird diverters arrived at the Station. See image at Attachment 3. Now WTCI must undertake to mount 158 bird diverters on its tower using a brand new custom self-designed system with an ariel drone.

WTCI has submitted all repack invoices except for those that relate to the FCC's bird diverter condition on the repack tower. WTCI needs additional time to complete installation of the bird diverters on the tower and WTCI also needs additional time to submit invoices relating to the bird diverters and their installation. In addition, WTCI is a small, leanly staffed local noncommercial TV station and its WTCI's Senior VP Technical Services, who is a 34+ year employee of WTCI and has overseen all of its technical operations since 1987, has experienced recent health concerns.

WTCI respectfully requests that the Commission extend the deadline to submit invoices and related documentation to the Commission's repack administrator for the Station's Post-Incentive Auction facility until March 22, 2022. As set forth above, WTCI has been diligently working and innovating to meet the bird diverter condition imposed on its repack tower in April 2021, but the bird diverters arrived less than three weeks before the October 8, 2021 deadline and installation of the bird diverters involves unique and novel circumstances beyond WTCI's control.

Grant of this request would serve the public interest, as it would allow WTCI, a nonprofit community organization, to be fully reimbursed for all of the costs it has incurred associated with the repack, so that WTCI can ensure that the Station is focused on serving its viewers with high

quality public television offerings. In addition, no other entity would suffer any harm as a result of the grant the requested relief to WTCI.

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









