

Request for Reinstatement and Extension of License

TV Red de Puerto Rico, Inc. (“TV Red”), licensee of low-power television (“LPTV”) station W18DZ-D, Ceiba, Puerto Rico (Facility ID No. 183415), pursuant to FCC staff request, hereby requests Special Temporary Authority (“STA”) for reinstatement and extension of W18DZ-D’s license.¹ Grant of STA is in the public interest and would be in accord with the proviso set forth in Section 312(g) of the Communications Act of 1934, as amended (the “Act”), which permits the Commission to allow a station to be silent for more than 12 months if doing so would promote “equity and fairness.”²

Background

Between September 2017 and August 4, 2021, W18DZ-D was silent for extended periods of time due to two hurricanes, a series of earthquakes, and the ongoing COVID-19 pandemic – all of which have devastated the island of Puerto Rico and prevented W18DZ-D from resuming operations with permanent facilities.

On September 20, 2017, W18DZ-D went silent due to the catastrophic impact on Puerto Rico’s economy and infrastructure caused by Hurricanes Maria and Irma.³ On September 27, 2017, Red TV filed a Notification of Suspension of Operations and Request for Silent STA for W18DZ-D, which was granted that same day. The extensive economic damage caused by the hurricanes, coupled with the financial pressures associated with the incentive auction repack, forced the station to remain off the air through 2018 and the most of 2019.⁴

During this time, Red TV attempted to construct new facilities for W18DZ-D which would enable the station to resume operations, but the economic disruption caused by the hurricanes prevented the station from resuming operations. W18DZ-D remained silent for a few additional months past December 2019⁵ and on May 18, 2020, resumed operations on Channel 33 pursuant to a channel sharing arrangement⁶ with LPTV station W33ED-D, Vieques, Puerto Rico (Facility ID No. 181832) (“W33ED-D”) – also licensed to Red TV.

This channel sharing arrangement enabled Red TV to continue providing service to its viewers while it attempted to construct permanent facilities for W18DZ-D, efforts which were hampered by the ongoing economic crisis in Puerto Rico, then by the Puerto Rico earthquakes, and

¹ LMS File No. 0000156038 (expired Feb. 1, 2021).

² 47 U.S.C. § 312(g).

³ LMS File No. 0000030199 (granted Sept. 27, 2017; expired Mar. 27, 2018).

⁴ LMS File Nos. 0000053373 (April 2018; expired Sept. 20, 2018) & 0000059711 (Sept. 20, 2018; expired Mar. 3, 2019) & 0000068305 (March 2019; expired 12/31/2019).

⁵ TV Red inadvertently did not extend its Silent STA beyond the Dec. 31, 2019, expiration date.

⁶ LMS File Nos. 0000113823 (May 18, 2020; expired Dec. 9, 2020) & 0000127089 (Active as Nov. 24, 2020).

then by the COVID-19 pandemic. The station operated on this CSA mode until August 4, 2021, when the facilities authorized in a Minor CP Modification were completed and licensed⁷.

As stated above, the efforts of TV Red to restore the operation of its LPTV stations have been impaired by the lasting consequences of the series of natural disasters that have befallen on Puerto Rico, starting with Hurricanes Irma and Maria in September 2017, then continuing with a series of earthquakes on 2020 that have not stopped - events that severely damaged the electrical grid of Puerto Rico, to this very day unstable and unreliable⁸ Then, since early 2020, against the backdrop of a very difficult economic situation (officially in Bankruptcy Court) the island began to experience the effects of the Pandemic; since March 2020 and up to this day, Puerto Rico has experienced the devastating effects of the Covid-19 Pandemic⁹. The lasting effects of the natural disasters, and the Covid-19 Pandemic, have hampered the efforts of TV Red to repair and update its damaged stations.

While the strict public safety measures and high vaccination rates has put Puerto Rico on a good position regarding the Covid-19 Pandemic, it has also created a very cautious and at times isolationist attitude in many that makes very difficult to get people to work on what can be perceived as risky jobs, as is work on antenna towers, transmission sites and broadcast facilities. The difficulty in getting labor has been an important impediment to the efforts to repair its facilities, as has been the unexpected delays in delivery of the necessary replacement transmission equipment due to the Covid-19 Pandemic (see attached PDF ***“Equipment Delivery Delay Certification Broadcast Depot”***), reasons that pressed TV Red to operate under the minimal facilities that channel sharing entails.

Conclusion

Despite these circumstances beyond its control, Red TV diligently endeavored to restore W18DZ-D to resume on-air operations through use of temporary facilities, channel sharing arrangements, and construction of new station facilities. Since W18DZ-D resumed on-air operations with permanent facilities on August 4, 2021, the station has provided uninterrupted service to its viewers.

For the foregoing reasons, pursuant to Section 312(g) of the Act, TV Red respectfully requests reinstatement and extension of W18DZ-D’s license until the station’s license renewal application is granted.

⁷ CP Modification, File No. 0000150226 & License File No. 0000156038

⁸ See FCC Public Notice DA-18-901, special provisions extending Silent Authorities for additional time beyond the one-year Silence to broadcasters in the Virgin Island and Puerto Rico rebuilding in the aftermath of Hurricanes Irma and Maria. See FCC Public Notice DA-20-28 of Jan. 7, 2020, FCC provisions for dealing with the aftermath of the earthquakes hitting Puerto Rico.

⁹ See the attached PDF, *“The effects of the Covid-19 Pandemic on Puerto Rico”*.

Jorge R. Figueroa
President,
TV Red de Puerto Rico, Inc.

October 9, 2021

The impact of the Covid-19 Pandemic in Puerto Rico

The effects of the Covid-19 Pandemic in Puerto Rico have been well described in the article “The Impact of the Covid-19 Pandemic in Puerto Rico”, by Sofia Perez Semanaz, of November 1, 2020, for the American University of Washington, DC. The article is partially quoted below:

“The current COVID-19 pandemic has adversely affected Puerto Rico as it has much of the world. Puerto Rico, an island with over 3.1 million inhabitants located in the Caribbean Sea, is a territory of the United States. The coronavirus is magnifying the territory’s multilayered economic and social crisis, one that has been aggravated by the catastrophic hurricanes of September 2017 and earthquakes earlier in 2020. PR’s response to the pandemic was relatively diligent and swift. Quarantine, curfew, and lockdowns per executive orders were among the timeliest and strictest in the United States, and perhaps worldwide...”

“...On March 13, 2020, Puerto Rico closed all public schools and several universities, switching to remote education. The same day, the island took additional measures, including a temperature check of persons at all ports of entry. Stay-at-home orders and social distancing guidelines were in place by March 15. Islanders had a curfew and were only allowed to purchase essential items or obtain essential services from 5 a.m. to 9 p.m. While many states had hundreds of confirmed COVID-19 cases, Puerto Rico only recorded a small number of confirmed cases and had no reported deaths...”

“...The island has been struggling for years to restructure \$120 billion public debt, pension obligations, and losses as it also continues to recuperate from the destruction that was caused by Hurricanes Irma and Maria in 2017 and a series of earthquakes in January 2020...”

“...Governor Wanda Vázquez signed an amendment Executive Order that requires visitors to provide a negative Covid-19 test result within 72 hours of arrival. Face masks are required, as are social distancing protocols. This order is more restrictive and intended to monitor who enters the island to control the virus.”

“...The director of the Division of Clinical and Health Services Research on the National Institute on Minority Health and Health Disparities (NIMHD) supports the measures taken, stating, “I applaud the curfew. I applaud some very strict measures put in place...in the light of having very low resources, restrictions are going to be very effective.”

CERTIFICATION

This is certify that TV Red de Puerto Rico has purchased from Broadcast Depot, a significant number of UHF transmitters, antennas and related accessories for their LPTV facilities in Puerto Rico, whose delivery to TV Red, although initially scheduled for late September to October 1, 2020, has been delayed by the equipment factory problems (SYES, Italy), due to the Covid-19 crisis. The equipment is now scheduled for delivery during December, 2020.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Carlos Sarraff'.

Carlos Sarraff
General Manager
Broadcast Depot
7782 NW 46 St. Miami, FL 33166

