

## **Request for Waiver of Tolling of Construction Permit**

For the reasons set forth herein, Televiscentro of Puerto Rico, LLC (“Televiscentro”), licensee of Television Station WAPA-TV, San Juan, Puerto Rico, hereby requests a waiver of the tolling requirements set forth in Section 73.3598(b) of the Commission’s rules with respect to Construction Permit 0000055015.

### **Background**

Televiscentro filed a request to toll Construction Permit 0000055015 on June 30, 2021 and an amendment to that request on July 28, 2021 (File No. 0000151309) (“Amendment”). As explained in that request, the tower previously used by WAPA-TV was destroyed by Hurricane Maria. Following the hurricane, Televiscentro filed a request for special temporary authority to permit WAPA-TV to remain silent and then filed a minor modification application requesting authority to construct new transmitting facilities at a tower owned by Telemundo of Puerto Rico (“Telemundo”) (File No. 0000055015). Station WKAQ-TV, San Juan, Puerto Rico, which is owned by Telemundo, has authority to use the WAPA-TV antenna as an auxiliary antenna. (See File No. 0000032015). The modification application was granted July 30, 2018. WAPA-TV and Telemundo were able to procure and install the new antenna and combiner authorized in the construction permit within the first year after the permit was granted; however, Televiscentro was unable to install the new transmitter authorized in the construction permit and has therefore been operating at lower power pursuant to special temporary authority. (See File No. 0000150228).

The reasons for the extensive delays in completing the tower strengthening work and modifications to the transmitter building were explained in detail in the Amendment. By letter dated August 13, 2021 the FCC tolled the construction permit to January 26, 2022.

Televiscentro has made substantial progress in completing the work needed for the modified facilities, largely in accordance with the timeline outlined in the Amendment. Specifically, it completed construction of the transmitter building and has installed the electrical system and the necessary transmission equipment, including the new transmitter. The station encountered some unexpected delays because of issues with a water radiator, faulty amplifiers, and a coaxial switch. Repairs to this equipment took longer than anticipated because of staffing issues due to COVID and schedule backlogs. However, Televiscentro has now completed the necessary repairs. The only remaining work is for an engineer who works for the company that manufactured the transmitter—Hitachi-Comark—to conduct a proof of performance for the new transmission equipment and make any necessary adjustments and calibrations. The engineer was scheduled to travel to Puerto Rico and begin the tests on January 11<sup>th</sup>; however, the company informed Televiscentro that he had tested positive for COVID-19 and would be unable to travel to Puerto Rico. He is now scheduled to begin work on Thursday January 20<sup>th</sup>. However, due to COVID protocols and airline delays which have been well-publicized, it is possible that this timing will slip. In addition, the station needs to have sufficient time to complete any repairs, adjustments and recalibrations to the equipment that are needed based on the testing.

## **Conclusion**

As explained in its original tolling request and above, Televiscentro has been working diligently to complete the work on the tower and transmitter building that is required for Televiscentro to operate WAPA-TV with its permanent, authorized transmitter. The most recent delays are due to the necessary personnel testing positive for COVID. These circumstances were outside of Televiscentro's control. Televiscentro respectfully submits that the circumstances described above justify a waiver of Section 73.3598(b) of the Commission's rules and that grant of the waiver and tolling of the construction permit will serve the public interest by permitting Televiscentro to complete construction of the facilities authorized by construction permit 0000055015 and provide improved service to its viewers. Televiscentro respectfully requests that the construction permit be tolled through February 26, 2022.