



Federal Communications Commission
Washington, D.C. 20554

February 21, 2023

Sent via electronic mail

In reply refer to: 1800B3-VM

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In re: WMYQ(FM), Shaw, MS
Facility ID No. 198799
File No. 0000206898
Request for tolling

Dear Mr. King:

On January 19, 2023, you filed a request for tolling of the construction permit deadline for proposed FM Station WMYQ, Shaw, Mississippi (Station), on behalf of Kizart Media Partners (KMP).¹ We granted the permit on January 31, 2020 for a three-year term expiring on January 31, 2023.² KMP bases the request for tolling on delays due to the COVID-19 pandemic and the need for FAA clearance at the site it was able to secure. Based on the foregoing, KMP's tolling request is granted.³

In support of its tolling request, KMP states that it attempted to proceed with diligence to complete construction of the Station prior to the expiration date, but that its amendment to change community from Cleveland, Mississippi to Shaw, Mississippi was granted just before the beginning of the COVID-19 pandemic.⁴ Starting in March 2020, KMP encountered difficulties in proceeding with construction due to its principal's inability to travel from his home to the location to seek out sites and the unwillingness or inability of local landowners to meet to discuss available sites due to fear of exposure. KMP also states that it was unable to order crucial equipment due to supply chain problems caused by the pandemic. Ultimately, KMP was required to seek out an existing tower, which requires FAA clearance for the use of the frequency at the site, further delaying KMP's ability to commence construction.

The circumstances described in the request to extend tolling demonstrate that the delays in construction were outside KMP's control due to the impact of the COVID-19 pandemic on the ability to travel to secure a transmitter site as well as on supply chain difficulties for needed equipment.

¹ See LMS File No. 0000206898, as amended.

² See File No. BNPH-20151013ADH.

³ See 47 CFR § 73.3598(b).

⁴ File No. BNPH-20151013ADH amendment granted Jan. 30, 2020.

Based on this showing, we have determined that this request falls within one of the criteria for tolling,⁵ and is granted for six months from the date of this letter. The new expiration date for the Station's construction permit is August 21, 2023.

Sincerely,

Albert Shuldiner

Albert Shuldiner
Chief, Audio Division
Media Bureau

⁵ See 47 CFR §73.3598(b); *1998 Biennial Regulatory Review—Streamlining of Mass Media Application Rules and Processes*, Report and Order, 13 FCC Rcd 23056 (1998), *recon. granted in part and denied in part*, Memorandum Opinion and Order, 14 FCC Rcd 17525, 17540 (1999).