

Request for Extension of Post-Auction Construction Permit

Nexstar Broadcasting, Inc., the licensee of KOIN(TV), Portland, Oregon, FAC ID 35380, respectfully requests an extension of its post-auction construction permit for Channel 25. See LMS File No. 0000034802. KOIN(TV), originally assigned to Phase Two Transition, with a corresponding April 12, 2019 transition deadline, sought and received authority to transition earlier on June 1, 2018. See FCC LMS File No. 0000035024. KOIN(TV) transitioned from its pre-auction Channel 40 to its post-auction Channel 25 on June 1, 2018, operating with interim facilities.

As the Media Bureau is aware, Nexstar sought but had not received the necessary permits to complete its post-transition Channel 25 facilities. Consequently, Nexstar has sought and received special temporary authority (“STA”) to continue post-transition Channel 25 interim operations since May 2018. See FCC LMS File No. 0000053978, most recently extended by File No. 0000063056. Nexstar just recently received the necessary permits to complete its post-transition Channel 25 facilities. Consequently, Nexstar requires additional time to complete KOIN(TV)’s post-transition facilities.

Pursuant to 47 C.F.R. § 73.3700(b)(5), the Media Bureau has the authority to provide an extension of the construction deadline for up to six months if the reassigned station encounters circumstances that include weather delays, construction delays, tower lease disputes, unusual technical challenges and permitting and zoning delays. As disclosed above, and due to required changes to the post-auction facility, Nexstar has been subject to unavoidable permitting delays which then create equipment and construction delays. Accordingly, Nexstar respectfully requests a 180-day extension of its post-auction construction permit.

To the extent necessary, Nexstar also requests a waiver of the Commission’s requirement that requests for extension of post-auction construction deadlines be submitted 90 days prior to the existing construction permit deadline. Nexstar has made every effort to meet the Phase Two transition deadline but only recently received the necessary permits, which among other things has impeded its ability to schedule a tower crew to complete installation. Grant of this waiver request and the extension of the CP would be in the public interest as it would allow the station to remain on the air while Nexstar completes the KOIN(TV) post-auction facility.