

**Statement in Support of Request for Extension of Post-Auction Construction Permit**

Pursuant to Section 73.3700(b)(5) of the rules of the Federal Communications Commission (“FCC”), WLS Television, Inc. (“WLS Television”), licensee of commercial television station WLS-TV, Facility ID No. 73226, Chicago, Illinois (“WLS”), respectfully requests a six-month extension of the construction deadline set forth in WLS’s post-auction construction permit, FCC File No. 0000034300 (“Channel 22 CP”). Presently, WLS is required to complete construction of the facility specified in the Channel 22 CP by October 18, 2019. As explained herein, due to circumstances beyond the control of WLS Television, namely, its reliance on Willis Tower to implement a complex, multi-station repacking project, the channel 22 antenna is not scheduled to be installed until late Fall 2019. Importantly, however, although WLS will not be able to complete construction of the facility specified in the Channel 22 CP by October 19, WLS plans to transition from channel 44 to channel 22 by October 19 using the auxiliary facility authorized by FCC File No. 0000072134. Accordingly, grant of the instant request is in the public interest because it will not delay or disrupt the post-auction transition schedule.

The Media Bureau is authorized to grant an extension of a repacked station’s post-auction construction permit for up to six months to enable the station to complete construction of its post-auction facility if such an extension is necessary due to circumstances beyond the licensee’s control.<sup>1</sup> Such circumstances include “unusual technical challenges, such as . . . the need to coordinate channel changes with another station.”<sup>2</sup> As explained below, the instant request to extend the construction deadline for WLS falls squarely within these parameters.

As the FCC is aware, WLS broadcasts from Willis Tower, a densely populated multi-tenant communications platform that supports eleven full-power television stations, three Class A television and several FM radio facilities. All but four of the full-power and Class A television stations that broadcast from Willis Tower will be changing channels as part of the repacking process. In order to accomplish these channel changes, Willis Tower has planned, and is implementing, a complex repacking project that involves relocating some stations to new single channel antennas and others to multiplexed, shared antennas, and also contemplates reconfiguring combiners used by certain stations. For WLS, Willis Tower is requiring that the station (1) move to a new channel 22 transmitter facility in a new space on a different floor of Willis Tower; (2) work with Willis Tower to construct a new shared antenna system at a new location on Willis Tower, which shared antenna will serve as WLS’s channel 22 auxiliary antenna; and (3) remove the existing channel 44 antenna and replace it with a new channel 22 antenna at the same location. All of the foregoing work must be coordinated through, and cannot be completed without the involvement of, Willis Tower, which is managing the repacking of multiple stations including WLS.

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<sup>1</sup> 47 C.F.R. § 73.3700(b)(5)(i).

<sup>2</sup> 47 C.F.R. § 73.3700(b)(5)(ii).

Notwithstanding the complex nature of WLS's post-auction transition, WLS Television has been actively working to transition to channel 22 by the end of Phase 6. To this end, WLS Television presently is completing construction of its new channel 22 transmitter facility (i.e., step (1) in the preceding paragraph), and has completed approximately 75% of the work necessary to bring the transmitter facility into service.<sup>3</sup> It is presently anticipated that the channel 22 transmitter (including its associated components) will be installed this summer, such that the channel 22 transmitter facility will be fully built-out by the end of August.<sup>4</sup> WLS also has been working with Willis Tower to ensure that the shared antenna system that will serve as WLS's channel 22 auxiliary antenna (i.e., step (2) in the preceding paragraph) will be fully operational by October 18, 2019. To this end, all components of the shared auxiliary antenna system (the antenna, dual transmission lines and combiner) have been delivered. Installation of these components is scheduled to begin the week of July 22 and is anticipated to be completed in mid-August.

Despite its efforts to complete all three of the steps described above, the installation of WLS's main channel 22 antenna will not be complete by October 18, 2019. Willis Tower has informed WLS Television that it will not be in a position to install the main antennas for WLS or certain other broadcasters assigned to Phase 6 until after the phase completion deadline. Presently, Willis Tower has represented to WLS Television that it has planned the removal of WLS's channel 44 antenna and installation of WLS's channel 22 antenna for late fall 2019 (e.g., by early November). Assuming the installation proceeds as according to the schedule Willis Tower has provided to WLS Television, weather permitting, WLS will complete construction of the facility specified in the Channel 22 CP by November/December 2019 and file a license to cover application for the Channel 22 CP at that time.

Grant of the instant request to extend the construction deadline for the Channel 22 CP by six months will not disrupt or delay the post-auction transition because WLS will cease operations on channel 44, and transition to channel 22 using its authorized auxiliary facility, no later than October 18, 2019 (i.e., the Phase 6 completion deadline).<sup>5</sup> This auxiliary facility is expected to provide coverage substantially commensurate to WLS's main channel 22 facility, such that WLS will fully serve its current viewers with an over-the-air signal when it transitions to channel 22 at the end of Phase 6.

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<sup>3</sup> Specifically, all major components (HVAC, electrical, fire protection and transmitter/RF system components) are currently on site and substantially installed. Base building systems should be operational by early August and transmitter commissioning is scheduled to be completed by the end of August.

<sup>4</sup> The only remaining step to finalize construction of the facility specified in the Channel 22 CP will be to connect the channel 22 transmission line to the new channel 22 antenna once it has been installed. *See infra* (explaining that Willis Tower has told WLS that the new channel 22 antenna cannot be installed prior to the Phase 6 completion date).

<sup>5</sup> As noted above, WLS has been working with Willis Tower on the construction of the auxiliary antenna, which is expected to be operational by October 18, 2019.