

Request for Extension of Post-Auction Construction Permit

Nexstar Broadcasting, Inc., the licensee of WDVM-TV, Hagerstown, Maryland, FAC ID 25045, respectfully requests an extension of its post-auction construction permit for Channel 23. See LMS File No. 0000034764. WDVM-TV is operating on its pre-auction Channel 26 and is prepared to transition to its post-auction Channel 23, using interim facilities, at the conclusion of Phase Four - on August 2, 2019.

As the Media Bureau is aware, the WDVM-TV post-transition (final) antenna has not yet been installed due to weather and rigging delays. Consequently, Nexstar sought temporary authority to operate with interim facilities in order to vacate its pre-auction Channel 26. See STA Request LMS File No. 0000079832, which remains pending.

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 is now subject to unavoidable construction delays. Accordingly, Nexstar respectfully requests an extension of its post-auction construction permit until January 29, 2020.

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 Four transition deadline but only recently determined that the antenna installation would be significantly delayed until after August 2, 2019. Grant of this waiver request and the extension of the CP would be in the public interest as it would allow the orderly transition of the station from its pre-auction channel to its post-auction channel by the transition deadline while still allowing the station to remain on the air while Nexstar completes the WDVM-TV post-auction facility.