

**WRAL-TV POST-AUCTION CONSTRUCTION PERMIT
EXTENSION AND WAIVER REQUEST**

Capitol Broadcasting Company, Inc. (“CBC”), the licensee of WRAL-TV, Raleigh, NC (FIN 8688) (“WRAL”) hereby requests, pursuant to Section 73.3700(b)(5) of the Commission’s rules, a brief extension until **November 1, 2019** of the main construction permit, as modified, issued to WRAL on July 10, 2019 (File No. 0000075896), in order to allow CBC to complete construction of WRAL’s post-auction channel facilities.

The construction permit is currently scheduled to expire on September 6, 2019 (i.e., at the conclusion of Phase 5). As explained in further detail below, although CBC anticipates being able to complete construction of WRAL’s *auxiliary* construction permit facilities by the end of Phase 5, it will be unable to complete construction of the WRAL *main* facilities until WRAL and other stations in the market are able to complete their construction of a top-mounted candelabra antenna configuration at the top of the tower. A helicopter is needed for this work, and it could not be scheduled until October 2019. Thus, for reasons beyond CBC’s control, WRAL will not be able to complete construction of its main facilities by September 6, 2019, but will be operating on its post-auction channel (channel 17) by the end of Phase 5, and will have ceased operations on its pre-auction channel (channel 48) prior to the end of Phase 5.

Section 73.3700(b)(5) delegates authority to the Media Bureau to grant a single extension of time of up to six months to licensees of reassigned stations to complete construction of their post-auction channel upon demonstration by the licensee that failure to meet the construction deadline is due to circumstances that are either unforeseeable or beyond the licensee's control.¹ Circumstances that may justify an extension of the construction deadline of a licensee of a reassigned station include, but are not limited to, unusual technical challenges, such as the need to construct a top-mounted antenna or the need to coordinate channel changes with another station.² CBC submits that those facts are present here.

On or before September 6, 2019, WRAL intends to file a license application to cover its auxiliary construction permit (File No. 0000027670). On the same date, WRAL intends to cease operations on its pre-auction channel (channel 48). As a result, WRAL will have complied with its obligation to terminate pre-auction channel operations and commence operations on its post-auction channel, albeit with the use of auxiliary facilities.

Once WRAL and the other stations are able to complete construction of the top-mount configuration in October 2019 with the use of a helicopter, CBC intends to file a license application to cover the WRAL main construction permit, thus completing WRAL’s transition to post-auction operations on channel 17.

A Waiver of Section 73.3700(b)(5)(iv) Would Serve the Public Interest

In the interest of ensuring a smooth transition of repacked stations, CBC respectfully requests a waiver of the 90-day deadline set forth in Section 73.3700(b)(5)(iv). CBC submits

¹ 47 C.F.R. § 73.3700(b)(5).

² *Id.* § 73.3700(b)(5)(ii)(D).

that a waiver in this instance will help ensure that WRAL switches to its post-auction channel in a timely manner using its auxiliary facilities, while ensuring that WRAL can successfully complete the build-out of its main facilities at the top of the tower. CBC reasonably anticipates that it will be in a position to file a license application to cover its main construction permit once all construction at the top of the tower has been completed in October 2019.