

## **EXHIBIT SUPPORTING FURTHER EXTENSION OF CONSTRUCTION DEADLINE AND REQUEST FOR FURTHER WAIVER OF THE TOLLING RULE**

LR Telecasting LLC is the licensee of KMYA-DT, Camden, Arkansas (the Station). The Station timely ceased operation on its pre-auction channel and initiated operation on its post-auction channel. Under two STAs, the second of which expires November 30, 2019, the Station has been operating at reduced power.

On May 24, 2019 the Media Bureau tolled the expiration date of the Station's construction permit through September 30, 2019. The Commission found that rare and exceptional circumstances – unexpected and unavoidable delays in the production of the primary transmission line – justified this action.

Consistent with the Station's representations in its earlier request for tolling, production of the primary transmission line was completed well in advance of the September 30 deadline. Accordingly, construction of the Station in full harmony with the specifications of its post-auction authorization was scheduled for the first week in September. All preparations further to that undertaking (the arrival of equipment not yet on site, a tower crew, etc.) had been arranged.

In mid-August, Continental Electronics, the manufacturer of the main and backup transmitters, notified LR Telecasting that it was experiencing production delays. Specifically, the OEM who provides Continental Electronics with filters and combiners was behind schedule.

The Director of Engineering for Continental Electronics is Kerry Cozad. In recent email correspondence with counsel for LRT, he explained:

Here is the background for the transmitter equipment delivery for KMYA-DT, licensed for Camden, Arkansas serving Little Rock. Continental Electronics is providing main (Model CTX724) and alternate (Model CTX706A) transmitters for operation on Channel 18. The transmitter amplifier cabinets for both transmitters were complete in late June 2019. We have been preparing them for factory testing. The external RF Systems (combiners and filters) are provided by another OEM and were expected to be delivered to CEC in mid August 2019 to allow final factory testing of the transmitter system.

These items did not start shipping from the OEM until the second week of September 2019 which does not allow CEC enough time to factory test the systems to confirm compliance to the customer and FCC specifications. Our understanding is that the delay is due to the volume of equipment going through the OEM's factory and delays from their suppliers for parts. Based on these delays, we anticipate that the shipping of the transmitter system to the KMYA site will most likely occur around October 30, 2019.

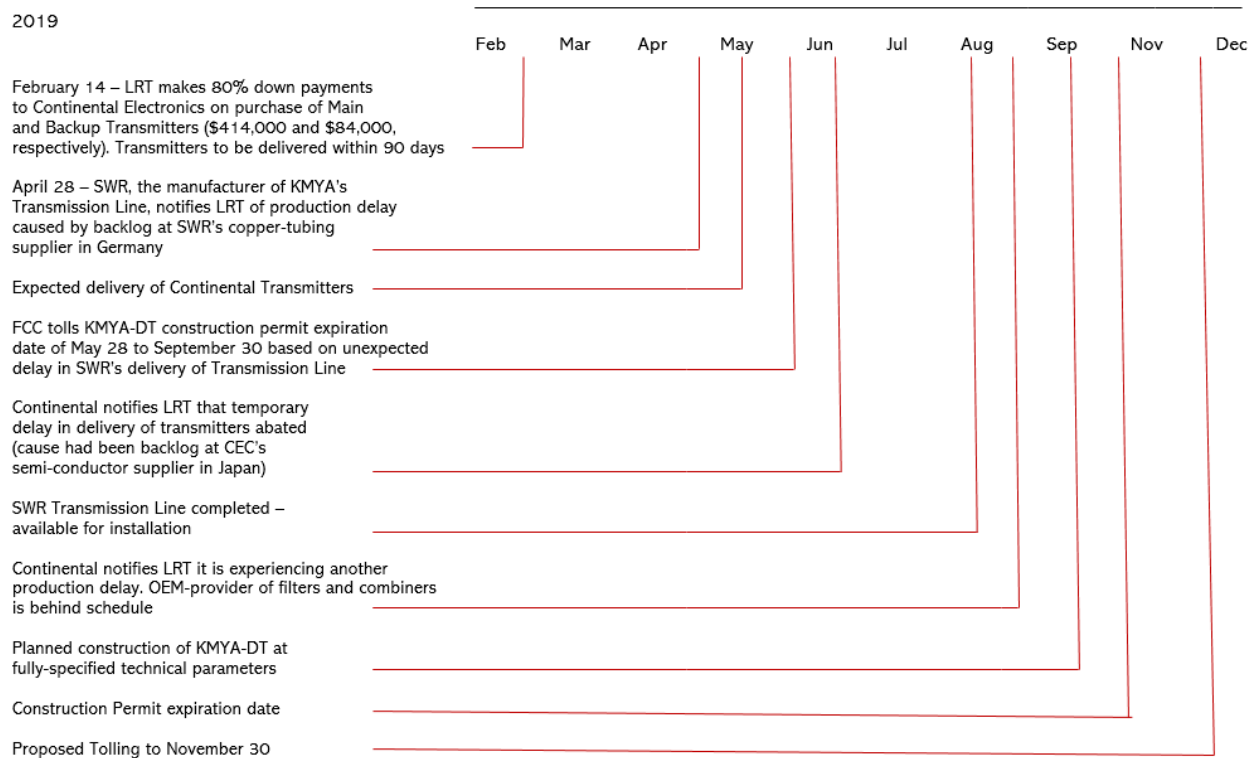
In a telephone call with LRT's counsel on Saturday September 21, Mr. Cozad indicated that a message he had received from the OEM on Friday September 20 gave him reason to think that Continental's delivery date would be pushed into November.

For these reasons, LRT respectfully asks that the expiration of its post-auction construction permit be tolled until November 30, coincident with the expiration date of the STA.

*Waiver of the Tolling Rule.* “Stations may seek a waiver of the tolling rule to receive additional time to construct in the case where ‘rare or exceptional circumstances’ prevent construction.” *Transition Procedures Public Notice* at ¶ 43. The circumstances of this case are rare and exceptional and waiver is appropriate because the underlying purpose of the Tolling Rule would be compromised if it were enforced according to its literal terms.

*Waiver of the 90-day Rule.* Applications for extensions of a construction deadline are to be filed at least 90 days prior to the deadline. In the present case, as explained above, it was not possible to comply with this requirement. To the extent necessary, we request that the 90-day rule be waived.

*Timeline.* Below is a timeline that gives a picture of the event’s referenced herein.



Finally, we have kept the instant exhibit brief in light of the fact that this tolling request is being filed a week prior to the current construction permit expiration date. As the staff recalls, our previous two filings relating to KMYA-DT’s efforts are copious in their factual details. We incorporate them by reference here, though a review of the information they contain is not necessary to resolve the present request.