

## REQUEST FOR EXTENSION OF CONSTRUCTION PERMIT

Victory Christian Center, Inc. (“VCCI”) is the licensee of the WGTB-CD Class A repack facility that was licensed to pre-auction Channel 28 with an ERP of 1.3 kW and was assigned to post-auction Channel 27 with a replication ERP of 1.3 kW. VCCI timely filed a construction permit application for the assigned post-auction parameters and followed that up with a timely filed maximization application for an ERP of 15 kW which was granted and a post-auction construction permit (0000080004) was issued on 8/13/2019. However, the construction permit expiration date was 9/6/2019 which was only 24 days after the maximization construction permit was granted; therefore, VCCI filed a request to extend the construction permit for 6 months which was granted by the FCC (0000080381) with a new construction permit deadline of 3/9/2020.

VCC requests that the Media Bureau accept this request for extension of its construction permit as late filed. While 73.3700(b)(5)(iv) requires the filing of an extension request at least ninety (90) days prior to a station’s construction permit deadline, the circumstances described below support grant of a waiver.

What ensued was several months of the station itself trying to determine what equipment was needed for the additional ERP, as opposed to what had already been determined for the original CP. Furthermore, the station itself tried to determine what was reimbursable and what would be an out of pocket expense as it pertained to transmitting with the new, higher 15kW ERP. As a result, VCC finally decided to retain an experienced consultant, Osborn Engineering to assist them in the in the project.

. Osborn’s first realization was that WGTB was very unlikely to be able to meet the deadline imposed by the first CP extension – 3/9/2020. It became immediately apparent WGTB would require a second extension, as no equipment other than a mask filter had been purchased, nor had any arrangements been made for a tower crew. Even as of this date, getting a tower crew will be the most difficult part of the continuing process.

It should be said that WGTB did meet their phase 5 date for vacating the pre-repack channel (28) and transitioning to the post-repack channel (27) by retuning their existing transmitter, using the same transmission line and using the same antenna. Subsequent line sweeps, however, have shown the line and antenna to be quite inefficient on the post-repack channel (which was only one channel away from the DTV channel, but both the line and the antenna were cut for Channel 28 specifically and by no means broadband enough for even the seemingly small step to Channel 27).

What now remains is to fulfill the obligations of the amended CP to reach 15kW. To accomplish this task, WGTB will require a new transmitter, new line and a new antenna, along with a tower crew to do the antenna installation. Because of the initial confusion in trying to determine what equipment was needed and further, what was and was not reimbursable, plus the difficulty in finding a tower crew, Osborn Engineering was brought in at a late date. To accomplish the full build out of the CP, WGTB will require a second CP extension.

Section 73.3700(b)(5) provides that the Media Bureau may grant an extension of time up to six months for stations that are unable to complete construction of their post-auction facilities “due to circumstances that are either unforeseeable or beyond licensee’s control.” Circumstances meeting this standard could include “delays in construction due to the unavailability of equipment or a tower crew.”

The Licensee greatly regrets its failure to timely implement its construction permit and will expeditiously construct the facilities and requests waiver of the rule and grant of the CP extension.

## Request for Special Temporary Authority

Victory Christian Center, Inc., licensee of Class A TV Station WGTB-DC, Charlotte, NC and holder of Construction Permit File No. 0000028505, as modified by File No. 0000080004, granted 8/13/2019, and modified by File No. (0000080381) with a new construction permit deadline of 3/9/2020, respectfully requests an extension of its STA (File No. 0000080398) (to operate on Channel 27, WGTB-CD's repack channel, with 1.3 KW from February 25, 2020 for 180 days. The STA operation would use the current antenna, which has a different orientation than the Ch 27 CP, File No. 0000028505. However, the 1.3 kW contour using the current antenna would not exceed the contour of that CP at any point.

Additionally, the licensee is simultaneously requesting a 180 extension of time to construct the facilities authorized in the construction permit. The narrative for that Extension Request is attached to this and explains the basis for both the request for Extension of Time to Construct and supports the instant "Request for Extension of Special Temporary Authority".

Consequently, the licensee requests special temporary authority to operate on its repacked channel with its current facilities at 1.3 KW for 180 days.