

WAIVER REQUEST

WURK-LP began operating under program test authority¹ before noon on Friday June 19, 2020 complying with authorized power and antenna height.

WURK-LP's prior license application² was dismissed upon the conclusion that the antenna structure was not permanent. A lightweight antenna was substituted for the heavy two-bay ring stub to meet permanency requirements.

The licensee recognizes that this license to cover application is late-filed. As a result, the licensee requests a waiver of requirements that it file its license to cover application within ten days of commencing broadcasts pursuant to program test authority.³

The Commission may grant a waiver "if good cause therefor is shown,"⁴ The licensee hereby seeks waiver of the 10-day filing requirement (to the extent necessary, on a *nunc pro tunc* basis).

Good cause arises from the effects of the nation's current COVID-19 pandemic on the grassroots organization holding the authorization for this station. The household of the main organizer of the community group's LPFM efforts was hit by the Corona virus during the period for timely filing. The case was severe and repercussions long-lasting. The organizational membership, in which at-risk senior citizens predominate, was unable to provide back-up to the organizer and his family due to the extreme infection risks within this cohort.

The Commission has consistently provided relief as a result of the "significant financial stress"⁵ the pandemic has created for the radio industry. While such relief is mainly most often provided to commercial stations suffering from pandemic-induced revenue loss, the licensee of WURK-LP, depending more on individual commitments of personal time and attention than underwriting or advertising revenue, is similarly situated⁶ in how its asset base has been severely curtailed by COVID-19. It suffers from a pandemic-caused inability to tap volunteer, people-powered resources, no less than commercial stations do when advertising dries up due to COVID. The license, therefore, provides good cause for the waiver requested herein.

The attached declaration of Dedrick Jackson, the secretary of Rainbow Heights Neighborhood Association and Crime Watch, Inc., provides documentation described in the Media Bureau's pandemic waiver public notice in DA 20-1059 to meet the stated waiver standards pursuant to *WAIT Radio v. FCC*.

¹ BPL-20190701AAA, expiration date July 15, 2022 ref BLL-20190805AACF decision, n. 5

² BLL-20190805AAC

³ 47 C.F.R. Secs.73.801 and 73.1620(1)(a).

⁴ 47 C.F.R. Sec. 1.3. *See also WAIT Radio v. FCC*, 418 F.2d 1153 (D.C. Cir. 1969); *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1166 (D.C. Cir. 1990).

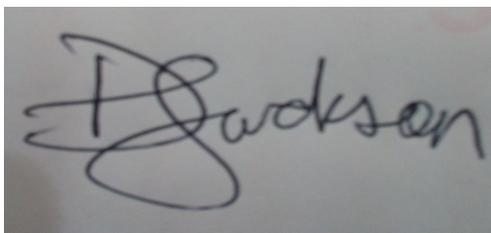
⁵ *Entercom License, LLC*, 35 FCC Rcd 7294, 7300 (2020).

⁶ *See Melody Music, Inc. v. FCC*, 345 F.2d 730 (1965).

DECLARATION OF DEDRICK JACKSON

1. My name is Dedrick Jackson.
2. I am the founder and general manager of WURK-LP and secretary of Rainbow Heights Neighborhood Association and Crime Watch, Inc. ("Licensee")
3. My wife became ill with COVID-19 on or around June 6th,, 2020. As her condition worsened, I was unable to focus on the work needed, including the license application required to cover the WURK-LP construction permit in a timely manner.
4. I was required to protect other people, including the numerous senior citizens who are members of the Licensee who are particularly at risk from COVID.
5. As a result of this need to maintain distance from others, to provide care for my infected wife, and the limited radio knowledge of the Licensee's general membership that, when combined with age and vulnerability to COVID, I was unable to arrange timely filing of the station's license to cover after service resumption on June 19, 2020.

Pursuant to 47 C.F.R. Section 1.16, I declare under penalty of perjury under laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief. Executed on Sept. 30, 2020.

A photograph of a handwritten signature in black ink on a light-colored surface. The signature is written in a cursive style and clearly reads "Dedrick Jackson".

DEDRICK JACKSON