

REQUEST FOR EXTENSION OF DIGITAL CONSTRUCTION PERMIT

Word of God Fellowship, Inc. (“WOGF”), licensee of low power television station KDAX-LP and permittee of digital low power companion channel KDAX-LD (the “Station”), respectfully requests a 180-day extension of its construction permit to allow it to complete construction of its digital facility through and including January 10, 2022.¹

In the *LPTV DTV Third R&O*, the FCC established a fixed construction deadline/expiration date for all valid outstanding digital construction permits held by analog LPTV and TV translator stations on the date twelve months after the completion of the 39-month Post-Auction Transition Period.² At the same time, the Commission indicated that LPTV and TV translator stations may seek one last extension of time of up to six months to complete construction.³ In seeking an extension, stations must show that the delay was due to circumstances that were either unforeseeable or beyond their control or due to financial hardship and that they have taken all reasonable steps to resolve the problem.⁴

Since that time, a number of factors that were unforeseeable and beyond WOGF’s control have contributed to WOGF’s inability to complete the buildout of the Station’s digital facilities. First, COVID-19 has wreaked havoc both on the end of the 39-month Post-Auction Transition Period and the supply chain for digital LPTV equipment.⁵ As a result both of the delays in the full power transition and COVID-19 related issues, equipment suppliers have experienced unexpected backlogs.

As to the specific circumstances affecting the Station, WOGF has been working diligently to develop its plans and has completed the engineering necessary for its conversion to digital. WOGF hopes to order the requisite equipment and hire crews to construct its digital facilities in the near future. These efforts have taken longer than anticipated for a number of reasons, including delays in the conversion of WOGF’s affiliated full power stations and WOGF’s difficulty obtaining the full attention of tower site owners and equipment manufacturers while the full power transition remained on going. WOGF is endeavoring to complete its conversion to digital by the July 13, 2021 deadline. However, WOGF recognizes that delays remain likely, particularly as the supply chain still has not fully recovered from COVID-19 related disruptions. Accordingly, WOGF seeks this extension out of an abundance of caution.

¹ 180 days from July 13, 2021 is January 9, 2022, a Sunday. WOGF will endeavor to complete the Station’s digital facilities well before the new deadline, but seeks the maximum allowable time for administrative convenience.

² See *Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power Television and Television Translator Stations*, Third Report and Order and Fourth Notice of Proposed Rulemaking, 30 FCC Rcd. 14927 ¶ 9 (2015) (“*LPTV DTV Third R&O*”).

³ *Id.* ¶ 12.

⁴ *Id.*; see also *Media Bureau Reminds Low Power Television and Television Translator Stations of July 13, 2021, Digital Transition Date*, DA 21-260 (MB rel. Mar. 4, 2021).

⁵ In a March 17, 2020 Public notice, the Commission recognized that “construction and delivery delays that are occurring as a result of the COVID-19 pandemic, as well as efforts undertaken by the stations themselves to protect the health of their employees and their families, result from circumstances outside of a station’s control.” See *Guidance for Stations in Phase 9 of the Post-Incentive Auction Transition as a Result of the Novel Coronavirus (COVID-19) Pandemic*, Public Notice, 35 FCC Rcd. 2720 (IATF & MB 2020). The Commission subsequently granted a waiver to extend the Phase 10 completion deadline to several full power stations based on, among other things, COVID-19 related work stoppages and supply chain issues. See *Post-Incentive Auction Transition Request for Waiver of Cox Television Jacksonville LLC*, 35 FCC Rcd. 6826 (2020).

The extension is in the public interest because it will allow the Station to achieve the Commission's goal of providing digital service to viewers in the Station's service area.