

EXHIBIT SUPPORTING REQUEST FOR FURTHER TOLLING

RSS Media Marketing LLC ('RSS') is the licensee of Digital Class A station WHIG, Rocky Mount, North Carolina. WHIG ceased operating on its pre-auction channel (31) and began operating on its post-auction channel (30) on July 2, 2020. As the Media Bureau is aware, WHIG's operation on its new Channel 30 has temporarily been at variance from the technical parameters of its authorization, including operation from a temporary tower approximately 260 yards west of its permanent tower location. The at-variance facility is authorized under Special Temporary Authority (most recently) in LMS File No. 0000130183. The tolling of the DCA construction permit needed while the temporary operation remains in effect is authorized (most recently) in LMS File No. 0000130180.

§1. For the sake of efficiency we reproduce below the facts recited in our prior tolling request. The updated information bearing on the instant application then begins at §2.

All equipment needed to complete construction of the facility at its post-auction parameters has since been delivered and is on hand. As we reported in the initial extension request, however, the prospect had recently emerged that there might be a problem with the integrity of WHIG's permanent tower. Lightning had recently struck the tower and the damage had been unexpectedly severe. This suggested that the tower might lack the protective grounding and other structural elements that recent versions of the ANSI/TIA-222 Standards prescribe.

We advised the Media Bureau that an analysis of the tower's stability would be done and that modifications to the structure might be necessary. But even if this were the case, it was reasonable to expect that the project would be completed in time to meet the [original] December 30 deadline. In particular, it was anticipated that the tower reinforcement work, if such work were necessary, would begin by early November.

RSS subsequently retained an engineering firm (TAE) to do the structural analysis report. The report would contain two parts. Part One would be a definitive determination as to the structural integrity of the tower. Part Two would be a description of the steel package required to implement the modification.¹ Significant preparatory work – to be done by WHIG's field engineer – was required before the Part One portion of TAE's study could begin. Eight lines and antennas would have to be removed from the tower, the tower would then be mapped, and the results would be documented and handed off to TAE.

The preparatory work was completed in late summer. TAE did not deliver the Part One portion of its analysis until November 6. TAE's study found that critical portions of the tower would be stressed beyond allowed limits when subjected to the loadings projected under the DCA equipment.

§2. Part Two of the TAE report was expected last month (March 2021). In the process of preparing that document, however, TAE determined, upon further review of its data, that a new soil integrity and resistivity study would be necessary.

The State of North Carolina requires that soil studies for tower structures be performed by geophysical engineers specially licensed under state law for that purpose. A local office of the consulting engineering firm Terracon was engaged last month to perform the analysis. The soil study was conducted two weeks ago. RSS has been told it can expect the results of the study this week, whereupon it will be given to TAE.²

TAE will then complete Part Two of its report by mid-May. As we stated in our prior tolling request, acquisition and delivery of the steel and other parts needed for the tower modification should take three to four weeks (assuming there are no supply log-jams). The project manager and crew have been organized and are prepared to begin the

¹ TAE's follow-up report (Part Two) actually serves two purposes: (a) it describes the scope of the tower modification work required and (b) it specifies the associated steel package required for such modification.

² It is reasonable to assume that the updated soil study will not reveal anything problematic.

tower modification as soon as the steel arrives. The tower reinforcement project itself will take three to four weeks. Once the tower modifications are finished, the installation of the DCA facility can begin immediately and should not take more than several days. Assuming this timeline, the post-auction facility should be completed by July 15. In an abundance of caution, we project August 1, 2021 as the outside date for completion of construction.

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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. We have shown that such circumstances exist in this case. Waiver is appropriate because these circumstances, though not identical to the scenarios expressly named in the Tolling Rule, nonetheless have the same essential characteristics.

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For these reasons, RSS respectfully asks that the Media Bureau toll the WHIG construction permit until August 1, 2021.

A request for an extension of WHIG’s Special Temporary Authority is being filed contemporaneously herewith.