



Federal Communications Commission
Washington, D.C. 20554

June 9, 2021

Broadcast Group, Ltd
5925 Cromo Drive
EL Paso, TX 79912
scabada@gmail.com
(via electronic mail)

Re: Application for Extension of
Construction Permit for Digital
Low Power Television Station
K42KZ-D, Calexico, CA
Fac. ID. 185530
LMS File No. 0000149849

Dear Permittee,

This concerns the above-referenced application for extension of time to complete construction of digital low power television station. For the reasons stated below, the application is dismissed.

Applications for extension of construction permit may only be filed for: (1) digital construction permits held by analog low power television and television translator stations (LPTV/translator stations) transitioning to digital; and (2) construction permits for new digital LPTV/translator stations.¹ Applications for extension may not be filed to extend construction permits to modify already licensed digital LPTV/translator stations or construction permits for analog-to-digital or digital-to-digital replacement translators.² Because your construction permit does not fall into either of the two eligible categories, you may not seek an extension. If additional time is required to complete construction of your facility, you may submit a request pursuant to the Commission's "tolling" rule.³

The above facts considered, your application for extension of construction permit **IS DISMISSED**.

Sincerely,

/s/

Barbara A. Kreisman
Chief, Video Division
Media Bureau

cc (via electronic email): Francisco Montero, Esq.

¹ See 47 CFR § 74.788(c)(3) (extensions may be filed only for the two categories of stations that are subject to the July 13, 2021 digital transition deadline).

² *Id.*

³ See 47 CFR § 73.3598(b). The tolling rule provides that a construction permit deadline may be tolled only for specific circumstances not under the licensee's control, such as acts of God or delays due to administrative or judicial review. *Id.* Stations may also seek a waiver of the tolling rule to receive additional time to construct in the case where "rare or exceptional circumstances" prevent construction, following the instructions for requesting tolling in the Appendix. See *1998 Regulatory Review - Streamlining of Mass Media Applications, Rules and Processes*, Memorandum Opinion and Order, 14 FCC Rcd 17525, 17536, para. 42 (1999).