

Reasons for the request of extension of construction permit

KOCY-LP, File No.: 0000140506, Facility 36850

June 30, 2021

The Chinese built transmitter that Tyler Media, LLC (“Tyler”) purchased in March 2021 from Anywave Communications Technologies (“ACT”) was *promised* to be delivered weeks ago (well before the July 13<sup>th</sup> deadline), however the transmitter has become delayed in transit due to transfer problems at the Los Angeles ports of delivery. This is part of a larger backup on the docks that has delayed many shipments from China for more than 40 days. We have learned that the shipping container that holds the transmitter may have arrived but has not been moved from the dock to the rail system for final delivery. While Tyler has been waiting for the shipment, a notification from ACT tells that the company cannot meet its promised delivery time and cannot provide a firm date when the transmitter will be delivered. Tyler, nor ACT, had no reason to believe the transmitter would be delayed for as long as it has, and we respectfully request a waiver of the extension deadline.<sup>1</sup>

The expected duration of this extension request would be only the length of time that it takes for the transmitter to be delivered and installed, and in no event is it expected to take longer than six months.

A grant of this extension will allow Tyler to go on the air. At least, most of its viewers would be able to receive Tyler’s excellent programs and public service, even though the facility would operate under half power in the interim.

(Please see the attached letter from ACT.)

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<sup>1</sup> 47 C.F.R. Section 1.3 permits waiver of any of the Commission’s rules upon a showing of good cause and where the waiver will serve the public interest. See *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969) cert. denied, 409 U.S. 1027 (1972)). Here Tyler has shown good cause exists and respectfully requests the extension of Tyler’s permit.”



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June 15, 2021

To whom it may concern:

Transmitter delivery delay:

ANYWAVE COMMUNICATION TECHNOLOGIES INC

Order # CO2103-0769 Invoice AC2103-0101

KOCY-LP FID 36850 KW channel 14 Transmitter

The transmitter Order placed 03/24/2021 with normal delivery this date of order would allow delivery well before the analog sunset date of July 13, 2021. However, the components required to complete this transmitter is delayed in transit due to transfer delays in Los Angeles, CA for over 40 days. The container that holds these transmitter parts has not been moved from the dock to the rail system for final delivery as of today, we have no confirmed delivery of these parts.

Anywave is proposing the potential of delivering a lower power transmitter to allow the station to provide a signal until the final transmitter can be delivered.

Anywave has a 800-watt transmitter that could be delivered within 5 days.

Best regards,

Irvin Tee Thomas

Western Sales Manager

Anywave Communications Technologies, Inc.

Phone. 806-548-1280