

**Request for Extension of Deadline to Submit Invoices for Reimbursement
from TV Broadcaster Relocation Fund**

SagamoreHill of Minnesota Licenses, LLC (“SagamoreHill”), licensee of KXLT-TV, Rochester, MN (Fac ID 35906) (the “Station”), hereby requests that the Incentive Auction Task Force (“Task Force”) and Media Bureau (“Bureau”) reassign the Station from the first deadline for stations to submit invoices for reimbursement from the TV Broadcaster Relocation Fund (October 8, 2021) to the second deadline (March 22, 2022).¹

Although the Station began operating on its post-auction channel in November 2018 (see File No. 0000063320), the Station’s remote monitoring equipment at its antenna tower has not been completed. When the DAC components were initially ordered, they were delayed due to supply chain issues and not delivered until after the remaining tower work had been completed. With the demands of the repack, tower crews were not immediately available to return to the site once the DAC components were received. While SagamoreHill is working to complete the installation of the system as expeditiously as possible, it will be subject to seasonal weather delays and could take several months before it is completed. SagamoreHill currently estimates that it will be completed no later than December 2021.

SagamoreHill also needs additional time to make the final close out certifications. The Chief Engineer who was managing the Station’s repack project stopped providing services to the Station in August 2021 – just two months before the invoice submission deadline. Although SagamoreHill has been attempting to verify that it has submitted all invoices for work that has been completed, that process remains ongoing due to the loss of institutional knowledge. And that work cannot be completed, in any event, until the DAC is finalized and all expenses are incurred.

Because SagamoreHill, due to circumstances beyond its control, has not been able to complete its repack related work and finalize its invoices for submission, the FCC should shift the Station’s reimbursement deadline to correspond to stations in the latter half of the repack. In their August 9, 2021 Public Notice, the Task Force and the Bureau indicated that they “will consider a limited extension” of a station’s reimbursement deadline where an entity faces circumstances beyond its control.² In such circumstances, the Task Force and the Bureau indicated that they will “shift[] an entity with the first or second deadline assignment to the second or third deadline assignment.” The instant circumstances warrant such an approach.

Under the deadlines adopted by the Task Force and the Bureau, stations that were assigned to the first five phases of the Transition Scheduling Plan (and, therefore, were scheduled to complete construction by September 6, 2019) were assigned to submit all of their invoices by October 8, 2021.³ In adopting this phased approach, the Task Force and the Bureau explained that “repacked stations with phase

¹ To the extent necessary, SagamoreHill seeks a waiver of the requirement to request a limited extension between 30 to 40 days before the station’s assigned deadline. See *TV Broadcaster Relocation Fund Filing Deadline Approaches in Sixty Days*, Public Notice, DA-21-970 at 1 n. 4 (rel. Aug. 9, 2021) (“60 Day Notice”). The recent loss of the Chief Engineer in charge of the entire repack project has caused significant interruptions and delays in the completion of the project.

² See 60 Day Notice.

³ See *Invoice Filing Deadlines for TV Broadcaster Relocation Fund*, Public Notice, 35 FCC Rcd 11273 (MB/IATF 2020) (“Invoice Filing Deadline PN”).

assignments earlier in the transition period were more likely to have completed their transition to final facilities, completed all construction, and incurred all costs.”⁴

Here, although the FCC assigned the Station to repack phase 1, SagamoreHill—despite its best efforts—was unable to obtain the remote monitoring equipment before the tower crew completed its work. SagamoreHill has been working diligently to complete all outstanding work since that time, but additional work remains.

Applying the October 8, 2021 invoice submission deadline to the Station under these circumstances is not in the public interest. Given the harm to SagamoreHill of enforcing a deadline that does not account for the Station’s circumstances and its ongoing repack efforts, it would be unreasonable and inconsistent with Congress’s charge for the FCC to reimburse costs “reasonably incurred” in the repack⁵ to require SagamoreHill to submit all invoices for the Station before October 8, 2021.

⁴ 60 Day Notice, n.9.

⁵ See Middle Class Tax Relief and Job Creation Act of 2012, Pub. Law 112-96, § 6403(b)(4).