

## **REQUEST FOR TOLLING**

Iglesia Jesucristo es mi Refugio, Inc. (“Iglesia”) hereby respectfully requests tolling of its construction permit for its digital LPTV facility for station this station.

This is a tolling request due to a station impacted by the Commission’s repacking of television frequencies. The requirement to change channels was a unique circumstance beyond its control. Therefore, Iglesia respectfully requests a waiver of the Commission’s tolling rule requirements, and a 180-day tolling of the construction permit deadline.

Iglesia has engaged in diligent efforts to build-out of the authorized facility, which now are almost complete. Completion of construction by the deadline date has been delayed due to multiple causes, ranging from competition for resources and supply constraints during repacking, and the ongoing pandemic conditions caused by COVID-19; illness, social distancing, and other pandemic-related precautions have resulted in equipment delivery delays and labor shortages, including the availability of tower crews; an already limited, highly-specialized and thinly-stretched work force necessary to install broadcast antennas and related equipment. In addition, its principal contractor has had multiple permits that he was required to construct, which also strained its availability and resources. The COVID-19 Pandemic, and the resulting delays, were also circumstances beyond its control. Additional documentation will be filed by amendment, upon request.

Under Section 73.3598(b) of the Commission’s rules:

73.3598(b)

The period of construction for an original construction permit shall toll when construction is prevented by the following causes not under the control of the permittee: (1) Construction is prevented due to an act of God, defined in terms of natural disasters (e.g., floods, tornados, hurricanes, or earthquakes);

(2) The grant of the permit is the subject of administrative or judicial review (i.e., petitions for reconsideration and applications for review of the grant of a construction permit pending before the Commission and any judicial appeal of any Commission action thereon), or construction is delayed by any cause of action pending before any court of competent jurisdiction relating to any

necessary local, state or federal requirement for the construction or operation of the station, including any zoning or environmental requirement;

(3) A request for international coordination, with respect to an original construction permit for a new DTV station, has been sent to Canada or Mexico on behalf of the station and no response from the country affected has been received, or the licensee or permittee is challenging the response from Canada or Mexico on the grounds that the facility as approved would not permit the station to serve the population that is both approved by the Commission and served by the station's TV (analog) facility to be vacated by June 12, 2009;

(4) A request for international coordination, with respect to a construction permit for stations in the Low Power FM service, on FM channels reserved for noncommercial educational use, and for noncommercial educational full power television stations, has been sent to Canada or Mexico on behalf of the station and no response from the country affected has been received; or

(5) Failure of a Commission-imposed condition precedent prior to commencement of operation.

47 C.F.R. § 73.3598(b) (emphasis added). A waiver of the tolling filing deadline is requested due to the fact that this is a repacked facility, and the modification it is has had to undertake was a circumstance beyond its control.

Iglesia submits that a grant of this tolling request would serve the public interest by providing additional time for Iglesia to complete construction of the authorized facility and bring important television digital programming service to the viewing public on its new channel.