UPDATED EXHIBIT IN SUPPORT OF FURTHER TOLLING
[Amendment to LMS File No. 0000158160]

LR Telecasting LLC ("LRT") is the licensee of Repack station KMYA-DT, Camden, Arkansas. Pursuant to Special Temporary Authority, the Station has been operating at reduced power since it vacated its pre-auction channel in late 2018.[1] The reasons for this have been set forth in an evolving narrative that LRT has provided to the Bureau multiple times over many months. Those facts have been the predicate for the Bureau's extending or tolling, several times, KMYA-DT's deadline to complete the build-out of its facility at the parameters specified in its post-auction authorization.

Although the Bureau is familiar with the background, we summarize it briefly below in §1. In §2 we report progress and describe the unforeseen obstacle necessitating the instant request for tolling of the current August 31 deadline.

§1. Construction of the post-repack facility was materially completed in December 2019. The station could not be activated and a covering license application filed, however, because anomalous voltage readings raised a safety concern. In due course it was determined that these anomalies resulted from an incompatibility between the electrical configuration of the power pole transformers and the configuration that the station's new Continental Electronics transmitter requires in order to operate safely and properly.

Solving this problem required replacing the legacy power pole transformer bank. The transformers are maintained by Entergy, the local electric utility, whose jurisdiction extends to the power poles. Entergy finally replaced the transformers in late January 2021. This was expected to be the final step before the post-transition facility could be activated and a license-to-cover filed.

However, when testing of the new power pole transformers was initiated, an over-voltage occurred, causing damage to several pieces of electrical equipment in the transmitter building. The over-voltage resulted from an incompatibility between the newly-installed power pole transformers and a step-down transformer inside the transmitter building used to convert the incoming (higher) voltage to a (lower) voltage compatible with the building equipment.

The solution to this problem was to install a suitable step-down transformer. A local mechanical contractor, GLENN Mechanical, was engaged to handle this work. It was expected to be completed in early February. However, two matters disturbed that timeline. First, a family member of the individual in charge of the project contracted COVID-19 and passed away suddenly. This halted activity for three weeks. When the repercussions of that personal tragedy had settled and the project was again on track, GLENN Mechanical realized it had erred in thinking that the new transformer was in reserve locally. Instead, the equipment had to be ordered. At that juncture there was a further delay in delivery of the equipment caused by global supply chain backups.

The step-down transformer was installed on May 19 and 20. However, LR Telecasting's field engineer and project manager – the person responsible for executing the final steps of the project – suffered a massive heart attack and was hospitalized for several weeks. His ongoing convalescence required that LRT find someone who could step into the project – in particular, a highly-competent person with relevant expertise and experience who could quickly be brought up to speed. LRT identified and engaged this resource. He was at that point finishing another project at a Repack station in Mobile, Alabama, but would be finished soon and then go immediately to the KMYA site in Camden, Arkansas.

§2. This transition occurred as projected. Subsequently, all matters required for completing construction were accomplished. It remained only for a team from Continental Electronics (the manufacturer of the Station's post-

[1] An amendment to our pending request to extend Technical STA (LMS File No. 0000158165) is being filed contemporaneously herewith.

auction transmitter) to travel to the KMYA site for the final electrical performance-testing. The CEC team arrived at the site on August 18. Because of the delay that had occurred since the transmitter's original installation, CEC decided to perform conditioning work on the water cooling system prior to activating the transmitter itself. The cooling pumps ran normally and no issues were identified. However, water leaks were detected in the heat exchanger and outside plumbing components. GLENN Mechanical was then brought back to the site to evaluate this situation. They determined that the plumbing components easily could be replaced but that the heat exchanger was too damaged and a new one would have to be secured.

In response – as a temporary solution that would enable LRT to meet the August 31 deadline – LRT's field engineer[2] proposed installing a heat exchanger that previously had been used at the station and was still on hand in storage. This was a highly-informed recommendation: Our field engineer has five decades of technical experience and is intimately familiar with the KMYA-DT operation. He was highly confident that this alternative strategy would work, ensuring that the August 31 deadline would be met. On August 20, counsel for LRT informed the Video Division to this effect. On August 24, the used heat exchanger was moved to the transmitter facility, cleaned, and tested to confirm its soundness. Just as our field engineer had predicted, the used equipment functioned properly. LRT apprised CEC of this result and its decision to move forward with this temporary arrangement.

Continental Electronics, however, refused to endorse this plan. Its view was that use of the substitute heat exchanger posed too significant a risk of damage to the new transmitter. In particular, according to CEC, tiny particles from potential corrosion in the substitute equipment and even algae residues could clog the cooling channels, compromising the new transmitter's performance, or worse, causing component failures within the transmitter system as a whole.

Considering Continental's stance, the cost of the new transmitter (in excess of $400,000 in Repack Funds), the potential violation of warranty conditions if such conditions are not strictly observed, and – most important – the necessity for LRT to be confident in the new transmitter's performance over the long term – LRT concluded that the prudent course was to accede to Continental and wait for the new heat exchanger to arrive. Continental initially advised that the lead time for the delivery of this equipment was 4-5 weeks, and thus projected that the installation could be completed by the end of October.

In the past two weeks, however, Continental notified us that their supplier's original shipping date had changed and that the date at this time cannot be precisely fixed. The reason given for the delay is unprecedented, global supply chain bottlenecks. The supplier ventured the best-case scenario that the delivery would be delayed two weeks. This development leads us to project that the delivery of the heat exchanger and the completed installation of the transmitter will occur sometime in November.

For these reasons, LRT respectfully asks that its CP expiration date be tolled until Tuesday November 30, 2021.

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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. The circumstances of this case are rare and exceptional and waiver is appropriate because the underlying purpose of the Tolling Rule would be compromised if it were enforced according to its literal terms.

[2] By this point our field engineer's health had improved to the point that he was able to supervise work at a general level.