

Request for Construction Permit Extension and Waiver of Tolling Rule
KNNN-LP
Facility ID 129249

Walker Broadcast Group LLC (“Walker”), licensee of KNNN-LP, Redding, California Facility ID 129249 (“Station”) respectfully requests an extension of time to complete construction of its full, post-transition facilities specified in KNNN-LP's construction permit (“CP”) previously issued in LMS File No. 0000153804 which is scheduled to expire January 10, 2022

The Station had been broadcasting from its pre-transition facilities up until July 13, 2021 per FCC deadline to convert from analog to DTV. The station ceased transmission and filed for an extension for the CP which was granted on August 4, 2021.

At this time the Station began the process of completing the post-transition build-out laid out in the CP. Multiple engineers and broadcast equipment providers were contacted and provided quotes for all necessary gear. These quotes are attached to this filing as exhibits 1-3. The Station then sought out engineers and consultants to finalize all necessary steps needed to complete the DTV build out, including both ATSC 1.0 and ATSC 3.0 options. Satisfied with all obtained information Walker reached out to the financiers with the equipment and installation options. This became quite problematic as at this same time a wildfire known as the “Dixie Fire” was burning through the community of Greenville, CA where both the financier and consultant were severely impacted. The fire completely destroyed most of the community including the homes and business of these key individuals. The losses sustained in the fire were extreme and left these key personnel unable to fulfill the planning and funding of the post-transition equipment necessary to comply with the CP. Walker remained hopeful that funding may just be delayed but as time began to run short started seeking new investment.

The Commission’s tolling provisions provide that a construction permit deadline may be tolled under specific circumstances such as acts of God, delays due to administrative or judicial review, or construction that is delayed by any cause of action pending before a 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. If a station does not qualify for tolling under these criteria, good cause may exist to waive the Commission’s tolling provisions and tolling may still be warranted where the licensee can demonstrate that “rare and exceptional circumstances” prevented construction by the station’s construction permit expiration date.⁽¹⁾ Based on these unusual and extraordinary circumstances and acts of God out of the station’s control, Walker seeks a further tolling of the Station’s CP.

Walker is confident that the construction will be completed within 180 days. This time frame may be sooner but due to the possibility of inclement weather at our transmitter site Walker is asking for the full 180 day extension to insure the proper completion of the project. The Station has acquired a new financier, and funding the post-transition DTV facility will commence upon granting of this request. The engineering team is in place and the manufacturer is ready to begin the transmitter build.

(1) See 1998 Biennial Regulatory Review -- Streamlining of Mass Media Applications, Rules, and Processes, Memorandum Opinion and Order, 14 FCC Rcd 17525, ¶ 42 (1999) (recognizing that there may be “rare and exceptional circumstances” beyond the control of the licensee that do not fall under the tolling provisions, but “which would warrant the tolling of construction time” and concluding that in such “limited circumstances,” the Commission would entertain requests for waiver of its “strict tolling provisions”).