

## **Request for Extension of Repack Reimbursement Invoice Deadline**

B&C Communications, LLC (“B&C”), licensee of full power television station WPAN(TV), Fort Walton Beach, Florida (Facility ID No. 31570, “WPAN”), respectfully requests waiver and extension of the Commission’s current March 22, 2022 deadline for B&C to submit repack invoice reimbursement requests for WPAN, due to circumstances beyond B&C’s control related to the new transmitter; as a result, B&C requests that it be allowed to submit its reimbursement requests for WPAN’s repack invoices until the later and final date of September 6, 2022.

By way of background, B&C has encountered several delays during the repack process for WPAN, due to circumstances beyond its control, requiring two extensions of its repack Channel 21 construction permit be granted, as best detailed in the exhibit to its second extension request. See LMS File No. 0000112110 (and exhibit thereto, the “Second Permit Extension”). When the Second Permit Extension was granted, it still allowed B&C only about three months to modify the tower and complete construction, but despite this compressed time frame, B&C met its construction deadline and filed a license to cover application. See LMS File No. 0000124712.

However, while construction of WPAN was completed in accordance with the Channel 21 construction permit, other work continued on the tower, and also troubles immediately began with the transmitter, purchased from GatesAir, Inc. (“GatesAir”), which would shut down intermittently, taking WPAN off-the-air for very brief periods of time. Over time, B&C was able to determine, with assistance from its various consulting and on-site engineers, that WPAN was losing its signal due to a combination of the transmitter being undersized, with the transmitter needing to operate at about 93% of its capacity in order to meet the authorized effective radiated power (“ERP”) for WPAN, causing loss of signal on the “shoulders” of the digital signal, and the mask filter having an actual measured loss well in excess of its technical specifications. B&C and its advisors, and specifically its project engineer, QCommunications, LLC (“QCom”), have had ongoing discussions with the vendor, GatesAir, over this problem and how best to resolve or correct it - - and in B&C’s view, the only reasonable, viable option would be to upgrade (by adding additional power amplifiers, if feasible) or replace the transmitter with one that is more correctly sized for WPAN, such that it would not need to constantly operate so close to full capacity, or perhaps, in the alternative, changing to a more efficient mask filter with less actual power loss.

B&C was diligent about pursuing a correction to this transmitter issue, as well as certain other post-licensing transmission equipment and other issues, as can be seen from the following timeline summarizing its efforts, starting shortly after the repack Channel 21 facilities were licensed in October 2020, as follows:

November 2020, B&C had its own contract engineer review the station’s new repack transmission equipment installation, and discovered poor digital signal performance due to overdriving the transmitter, causing a drop off of the digital signal at the “shoulders”.

December 2020, B&C observed that the new antenna was not performing well; after much investigation, B&C discerned that the antenna was not oriented properly, which was confirmed by a drone survey, and led to re-orientation of the antenna mounting.

January and February 2021, the vendor, GatesAir proposes to check the mask or bandpass filter, to see if filter issues were causing the transmitter to be pushed beyond its design parameters.

May and June 2021, B&C had measurements taken of the mask or bandpass filter performance, as installed, and sent to GatesAir; GatesAir advises that the filter is within specifications.

July 2021, B&C's project engineer, QCom, contacts GatesAir for proposals to fix the transmitter performance deficiencies, by either upgrading or replacing the transmitter.

October 2021, GatesAir proposes that adding a couple of additional power amplifiers should fix the problem; QCom requests a quote from GatesAir for the additional power amplifiers.

December 2021, after some delay, GatesAir advises that is has been having trouble getting the chips needed for the power amplifiers, due to the COVID supply chain chip shortage, and that it is reluctant to provide a quote until they have the necessary chips on hand.

The Commission has stated that it would consider requests for extension of the March 22, 2022 repack reimbursement deadline where a station "faces circumstances beyond its control," and may be granted an extension to the later deadline of September 6, 2022. See Public Notice, DA 22-191 at ¶ 18 (released February 24, 2022, the "Repack Deadline Public Notice"). Requests for extension of the deadline should be filed as requests for legal special temporary authority ("STA"), and may request waiver of the filing fee for legal STAs. Id. at n.29.

As of March 2022, B&C is still waiting on the engineering proposal and related quote or invoice from GatesAir to resolve the transmitter issue by adding power amplifiers, which GatesAir attributes to the chip shortage, which is a circumstance beyond B&C's control that merits grant of the requested extension of the repack reimbursement invoice filing deadline requested herein.

In addition, work on the modification of the tower, to strengthen it, continued even after the repack Channel 21 facilities were licensed in October 2020, and into April 2021, and since additional work to address the transmitter issue was anticipated, B&C also has not been able to solicit firm quotes or invoices and contract with a vendor to do the necessary post-construction site cleanup, demolition, and disposal or salvage of equipment and other items no longer needed after the repack process is completed, which is also a circumstance beyond B&C's control that merits grant of the requested extension of the repack reimbursement invoice filing deadline requested herein.