

Supplement to Requests for Extension of STA to Remain Silent and for Extension of License Under Section 312(g) of the Communications Act of 1934, as Amended, and for Tolling of Construction Permit

Request to Extend STA and License

Lilly Broadcasting, L.L.C. ("Lilly"), holder of the Commission authorization for television translator station W34FR-D (analog station W07BJ), Ithaca, NY (Facility ID 71512) (the "Station"), hereby further supplements its pending request that the current special temporary authority (the "Silent STA") for the Station to remain silent be extended until July 10, 2022), and that a concurrent extension of the Station's license under Section 312(g) of the Communications Act of 1934, as amended, be granted until July 10, 2022 so as to permit Lilly to complete work on the Station's digital displacement facilities (LMS File 0000179421).

In its most recent filings regarding these matters,¹ Lilly described how the unavailability of tower sites had delayed construction of displacement facilities, but that subject to grant of a minor modification to the Station's construction permit Lilly expected that work could commence in the Spring or Summer of 2022 on displacement facilities at a new site which had been secured by Lilly. The application to modify the permit was filed on March 28, 2022.² Lilly has been informed by Commission staff that processing of that application has been delayed due to the need to obtain concurrence of the Canadian government. As an interim measure to enable the Station to return to operations, Lilly has filed a request for special temporary authority to operate with reduced power facilities from the new site (the "Reduced Power STA").³ Operation under the Reduced Power STA would not require Canadian concurrence and would be an interim measure until Canadian concurrence for the construction permit is obtained and the modified permit granted, at which point the Station will be able to broadcast with full power facilities.

The current status of construction is as follows. The antenna manufacturer expects to deliver the antenna to the site on or about June 15, 2022, and Lilly expects that the transmitter and transmission line will also have been delivered to the site by mid-June. Lilly will schedule a tower crew for the latter part of June, and if there are any issues with the crew, Lilly can hire a local engineer to do the on installation given the height of the antenna on the tower. Absent unforeseen circumstances Lilly believes that the construction can be completed by July 10, 2022, and assuming grant of the Reduced Power STA, the Station should be able to commence broadcasting with reduced power facilities by that date.

Request to Toll Construction Permit

¹ LMS File Nos. 0000179421 (Supplement to STA Extension and 312(g) Relief Request) and 0000179437 (Supplement to CP Tolling Request).

² LMS File No. 0000187436

³ LMS File No. 0000189742.

Lilly also has requested that the Commission waive the provisions of Section 73.3598 of its rules and toll the construction period under its construction permit until July 10, 2022,⁴ and hereby further supplements that request to include the information set forth herein.

The Commission should grant the pending requests to extend the Silent STA and to extend the Station's license under Section 312(g) of the Communications Act until July 10, 2022 to provide time for the grant of the Reduced Power STA and for the facilities thereunder to be constructed and become operational. The Commission also should grant the pending request for tolling of the Station's construction permit until July 10, 2022 to provide time for Canadian concurrence to the pending modification to be obtained. Such action would be in the public interest as it would enable the Station, which has been unable to construct displacement facilities due to circumstances beyond its control, to return to operation to serve viewers in Ithaca, NY and surrounding areas.

⁴ LMS File No. 0000179437.