

W31FA-D Elmhurst, MI, Facility ID# 184943
Request for Extension of Construction Permit
Section 73.3598(b) Tolling and Extension of Permit Request

Val Vista RV Park, LLC (“Val Vista”) permittee of the construction permit (“CP”) for W31FA-D Elmhurst, MI, Facility ID# 184943 requests tolling and further extension of its construction permit. On April 21, 2022, Val Vista filed a Request for Extension of Construction Permit (“Request”), explaining that despite Val Vista’s best efforts, they were unable to complete construction on the CP prior to its expiration date due to circumstances beyond its control. The Commission granted Val Vista’s request and extended its CP to June 7, 2022.

Val Vista noted in that Request that it was working diligently to attempt to complete construction but that a further extension may be needed should further delays arise. Despite its best efforts to complete construction prior to Jun 7, 2022, Val Vista has encountered further delays that necessitate seeking a further extension of the CP.

Since its Request was filed,¹ Val Vista has delivered the transmitter to the site and scheduled installation of both the antenna and transmitter. There was some additional delay due to scheduling difficulties outside of Val Vista’s control with the equipment rental companies. Val Vista had been attempting to schedule delivery with two different companies for a crane and shelter to ensure the antenna and line installation could be properly and timely completed. The companies had stopped responding for a time and then were not available to come to the location at the same time, which was required for the installation, until June. The scheduling conflict has now been resolved and the antenna is scheduled to be installed on June 7, after construction of the CPs 184940 and 184941 at Val Vista’s Charles location has concluded. Barring weather delays the station should be ready for equipment tests Wednesday, June 8, the day after the current tolling and extension is due to expire. Further, as noted in the requests for the Charles CPs, there is currently a forecast of rain for the region this weekend, which may delay installation both at this location and at the Charles location.

Accordingly, Val Vista requests a further tolling and extension of its construction permit to provide sufficient time for these final stages of construction now that all equipment has arrived to the site.

The public interest favors granting an extension here. Val Vista has made every effort to order all necessary equipment and make installation arrangements without unreasonable delay. Indeed, Val Vista has been able to complete construction on four of its ten CPs, of which two have been granted a license to cover and two are ready and fully constructed, waiting only on Canadian clearance to file their license applications. Thus, these delays are not a result of bad faith or intentional delay on behalf of Val Vista.

As has been previously shown in extension requests that have been approved, Val Vista has been faced with substantial delays in delivering and installing the transmitter for this station. Provided there are no additional delays, Val Vista anticipates it will be able to complete construction and have the station on air by June 8, 2022, but cannot be certain. Val Vista is thus requesting an extension to the end of the current month, or June 30 to ensure the transmitter installation can be completed properly. If there are

¹ Val Vista incorporates by reference the information and exhibits provided in its prior Requests. *See* LMS File Nos. 0000178653 and 0000188980.

additional delays, Val Vista may be required to seek an additional extension of time. Should the Commission fail to grant this request, Val Vista will be forced to surrender the CP, will be unable to build the construction permits, will be unable to extend its broadcast network to much needed rural regions in the country and the partial construction already accomplished will have been in vain. Such results are not in the public interest. Thus, Val Vista requests that the Commission find the public interest is in favor of granting an extension and grant the requested extension.

Certification

I, Larry ODonnell, Chief Engineer for Val Vista RV Park, LLC, have reviewed the foregoing Section 73.3598(b) Tolling and Extension of Permit Request and I certify under penalty of perjury that the facts set forth therein, except those of which public notice may be taken, are true and correct.

Executed on June 2, 2022.

A handwritten signature in black ink, appearing to read 'LODonnell', is written over a horizontal line.

Larry ODonnell
Chief Engineer
Val Vista RV Park, LLC