

EXHIBIT
K45IM-D FAC
Request to waive FCC rules

Developers & Managers Group, LLC hereby requests that the FCC waive its rules in order to allow the filing the renewal application for K45IM-D after the deadline based on the following difficulties caused by COVID-19 and other difficulties resulting in the late filling:

1. As a result of COVID -19, in March 2020 the Governor of Louisiana issued a stay at home order effectively closing all businesses in the State of Louisiana. The stay at home order was lifted in May of 2021.¹ This resulted in the offices being closed and reduction in staff.
2. In an email date January 20, 2021, the FCC provided a reminder of the February 1, 2021 license renewal application filing deadline.² Although the stay at home order was in effect, we started the process of contacting our engineer to file the renewal application
3. After receiving the reminder, we contacted our engineer who informed us that he was busy with another job and unable to assist. He said a referral would call but the referral never did. We then started to locate our other engineer and a few weeks later he returned our calls and informed us that he had several strokes in 2020 but would try to assist.
4. We also made several calls to the FCC regarding the application renewal process but because of COVID-19 the staff was not in offices and there were delays in speaking to someone. We finally received an email from the FCC with instructions dated January 28, 2021.³ Additionally, we finally received an email from Mr. Hossein on February 1, 2021 with instructions.⁴
5. February 2, 2021, Developers sent an email to Mr. Hossein to inform him of the difficulty we had incurred prior to the license renewal application filing deadline.⁵ A 30 day extension was requested. Also, we pointed out that only K31HO-D application had to be filed since K45IM-D/K29-D and K38NR-D/K4-D had been issued construction permits.
6. February 21, 2021 email to Barry McGrill regarding filing license renewal application for K31HO-D.⁶
7. February 25, 2021 email from FCC Stephanie Brown stating requirement to file for license renewal before February 1, 2021 and that K45IM-D had failed to file license renewal application and the license will expire as of June 1, 2021, provided no renewal application is received by midnight on the date of expiration. Developers filed the license renewal application for K45IM-D on March 4, 2021 prior to the expiration.

¹ See Proclamation Number 33JBE 2020 attached hereto and made a part hereof.

² See January 20, 2021 FCC email attached hereto and made a part hereof

³ See January 28, 2021 FCC IT Service Desk

⁴ See February 1, 2021 Mr. Hossein instruction email

⁵ See February 2, 2021 Developers & Managers email regarding difficulties attached hereto and made a part hereof.

⁶ See February 21, 2021 email to McGrill attached hereto and made a part hereof.

8. February 25, 2021 email from Andrew Kennedy requesting that the license renewal applications be filed as soon as possible.⁷

9. Developers actually thought that the deadline for filing for a license was when construction was completed before August of 2021 until being informed by FCC's staff that the deadline was February 1, 2021 because the permits were only good based on having a license.⁸

I hereby declaration under penalty of perjury in lieu of an affidavit under section 1.16 of the Commission's rules in support of any facts included in support of this waiver request.

Signed by: *Ernest L. Johnson*
Manager

Date: May 6, 2021

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⁷ See February 25, 2021 email attached hereto and made a part hereof.

⁸ See email from attorney Kennedy dated March 1, 2021 attached hereto and made a part hereof.