Request Tolling of Construction Permit – KVIH-TV

KVII Licensee, LLC, licensee of digital television broadcast station KVIH-TV, Clovis, NM (Facility ID No. 40450) (the "Station"), pursuant to Section 73.3598(b) of the Commission's rules, respectfully requests a waiver of the Commission's tolling provisions for the Station's construction permit ("CP") to replace the Station's authorized antenna (LMS File No. 0000207637). Based on the unusual and unexpected circumstances described below, the Station respectfully requests tolling of the Station's CP for an additional period of 30 days until **March 11, 2023**.

The Station has made substantial progress in the work required to replace the Station's antenna as authorized under the CP. Before the antenna could be replaced modifications to the tower were required. (See Letter from Stainless-FDH Infrastructure Services attached as Exhibit A.) Those modifications have been completed. In addition, a new transmission line has been installed and the transmitter installation, commissioning and proof have been completed.

Unfortunately, high winds at the tower site have made work required to replace the antenna on the tower unsafe and have caused the tower crew to essentially lose eleven workdays in January and early February. (See Weekly Weather Sign-Off Sheets, January 6 to February 7, attached as Exhibit B). Those high winds have delayed tower work and made installation of the new antenna by the February 9 expiration date under the CP impossible. The brief tolling period requested hereby will enable the required work to be completed and the Station to commence operation with the new facilities. Operation with those new facilities will enable the Sation to better serve the viewers in Clovis, NM and surrounding areas and will thereby benefit the public interest.

EXHIBIT A

(Letter from Stainless FDH Infrastructure Services)

Stainless – FDH Engineering Services, PLLC
6521 Meridien Drive
Raleigh, NC 27616 Ph. 919.755-1012

February 7, 2023

Dale Scherbring, Regional Director of Engineering
Sinclair Broadcast Group
2000 West 41st Street
Baltimore, MD 21211

Ref: 742.2' Overall Height Guyed Tower
Stainless Engineering Project No.: T058604

Dear Mr. Scherbring,

The purpose of this letter is to determine the acceptability of the tower stress levels under operational construction loads for the tower top antenna changeout prior to the installation of the proposed tower modifications per Stainless Report T058604 dated 11/19/2022. See Report for details of the tower loading.

We have reviewed the tower and foundations per ANSI/TIA-222-G Structural Standard for Antenna Supporting Structures and Antennas and Addenda G-1 and G-2 in conjunction with load combinations from Section 4.5 of the ANSI/TIA-322-2016, Standard for Loading, Analysis, and Design Criteria Related to the Installation, Alteration and Maintenance of Communication Structures, for an operational, construction duration wind speed of 30 mph. It was determined that under the considered wind speeds along with the operational loads applied to the tower from rigging equipment, the tower structure was **not adequate** in its existing state. To safely perform the tower top changeout, the following tower modifications were to first be installed:

- Removal and replacement of guy wires at guy level 6 [645']
- Installation of sub-horizontal leg bracing from 0.0-24.0' [3 Bays] and 424.0-449.0' [3 Bays]
- Adjustment of initial tensions at all guy levels

Our assessment has been made assuming all information provided to Stainless is accurate and that the tower has been properly erected and maintained.

Should you require additional information, please do not hesitate to contact our office.

Sincerely:

Cyrus Atchley

Cyrus Atchley, PE
Broadcast Engineering Manager
Stainless – FDH Infrastructure Services

EXHIBIT B

(Tower Crew Weekly Weather Sign Off Sheets: 1/6/23—2/7/23)

STAINLESS

WEEKLY WEATHER
SIGN-OFF SHEET

PROJECT: 058604 Clovis, NM Week ending 1-7-2023
STATION CALL LETTERS: KVII

Date	Number of Crew Members	# of hours worked	Reason for Crew Departure	Foreman's Initials	Customer's Signature
1/6	FIVE	2 HRS.	HIGH WINDS	B.O.	

Note: Weather days are defined as those days the tower crew cannot work on the tower because of inclement weather, making it unsafe to work.

WORKED ON THE GROUND A FEW HOURS.

STAINLESS

WEEKLY WEATHER
SIGN-OFF SHEET

PROJECT: 058604 Clovis, NM. Week ending 1-14-2013
STATION CALL LETTERS: KVII

Date	Number of Crew Members	# of hours worked	Reason for Crew Departure	Foreman's Initials	Customer's Signature
1/11	FIVE	2 HRS.	High winds	R.O.	

Note: Weather days are defined as those days the tower crew cannot work on the tower because of inclement weather, making it unsafe to work.

STAINLESS

WEEKLY WEATHER
SIGN-OFF SHEET

PROJECT: 058604 Clovis, N.M. Week ending 1-21-2023
STATION CALL LETTERS: KVII

Date	Number of Crew Members	# of hours worked	Reason for Crew Departure	Foreman's Initials	Customer's Signature
1/18	FIVE	2 HRS.	HIGH WINDS	R.O.	
1/21	FIVE	2 HRS.	HIGH WINDS	R.O.	

Note: Weather days are defined as those days the tower crew cannot work on the tower because of inclement weather, making it unsafe to work.

STANDLEE

WEEKLY WEATHER
SIGN OFF SHEET

PROJECT: 258404 Clovis, NM. Week ending 1-28-2023
STATION CALL LETTERS: KVII

Date	Number of Crew Members	# of hours worked	Reason for Crew Departure	Foreman's Initials	Customer's Signature
1/28	FIVE	2HRS.	High winds	R.D.	

Note: Weather days are defined as those days the tower crew cannot work on the tower because of inclement weather, making it unsafe to work.

WORKED ON THE GROUND
A FEW HOURS.

STAINLESS

WEEKLY WEATHER
SIGN-OFF SHEET

PROJECT: 058604 Clovis, NM. Week ending 2-4-2023
STATION CALL LETTERS: KVII

Date	Number of Crew Members	# of hours worked	Reason for Crew Departure	Foreman's Initials	Customer's Signature
1/30	FIVE	2 HRS.	ICE & SNOW	R.O.	
1/31	FIVE	2 HRS.	ICE	R.O.	
2/1	FIVE	2 HRS.	ICE	R.O.	
2/4	FIVE	2 HRS.	HIGH WINDS	R.O.	

Note: Weather days are defined as those days the tower crew cannot work on the tower because of inclement weather, making it unsafe to work.

STAINLESS

WEEKLY WEATHER
SIGN-OFF SHEET

PROJECT: 058604 Clovis N.M. Week ending 2-11-2023
STATION CALL LETTERS: KVII

Date	Number of Crew Members	# of hours worked	Reason for Crew Departure	Foreman's Initials	Customer's Signature
2/5	FIVE	2HRS.	High winds	R.O.	

Note: Weather days are defined as those days the tower crew cannot work on the tower because of inclement weather, making it unsafe to work.

STAINLESS

WEEKLY WEATHER
SIGN-OFF SHEET

PROJECT: 058604 Clovis, NM. Week ending 2-11-2023
STATION CALL LETTERS: KVII

Date	Number of Crew Members	# of hours worked	Reason for Crew Departure	Foreman's Initials	Customer's Signature
2/7	Five	2Hrs.	High winds	RD.	

Note: Weather days are defined as those days the tower crew cannot work on the tower because of inclement weather, making it unsafe to work.