

Application to Withdraw Requests for Waiver of FCC’s Tolling Standard and Extension of Repack Invoice Submission Deadline

On December 15, 2022, West Virginia Educational Broadcasting Authority (“WVEBA”) filed a request for waiver¹ of the Federal Communications Commission’s (“FCC” or “Commission”) tolling standard² to extend the construction permit for low-power television translator station W23DR-D, Romney, West Virginia (the “Station”) through October 31, 2022. Concurrently with that Waiver Request, WVEBA also filed an application for Legal Special Temporary Authority to extend the deadline to submit invoices for reimbursement in connection with the repack.³ WVEBA subsequently completed construction on the Station and filed an application for a License to Cover, which was granted on February 6, 2023.

Because the License to Cover application was filed and granted before the Commission had acted on the Waiver Request or Invoice Extension Request, the Waiver Request and Invoice Extension Request have each been rendered moot. However, both applications are still listed as “pending” in the Commission’s Licensing and Management System database. As a result, and consistent with informal guidance from the staff, WVEBA hereby formally requests to withdraw the Waiver Request and Invoice Extension Request, as construction has been completed and all invoices have been submitted.

¹ See LMS File No. 0000205617 (“Waiver Request”).

² See 47 C.F.R. § 73.3598(b).

³ See LMS File No. 0000205615 (“Invoice Extension Request”).