

1080 West Causeway Approach
Mandeville, Louisiana 70471
Telephone 985.629.0777
Facsimile 985.629.0778
www.hardycarey.com

Joseph C. Chautin
Direct Dial 985.629.0752
jchautin@hardycarey.com

Accepted / Filed

2826.038

March 29, 2017

MAR 29 2017

Via Hand Delivery

**Federal Communications Commission
Office of the Secretary**

Ms. Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: W248CU, Minneapolis, MN
Facility Id. 138656
Construction Permit File No. BMPFT-20160729ABH
FRN: 0006005672

Request for Waiver of Construction Permit Deadline

Dear Ms. Dortch:

This Request for Waiver of Construction Permit Deadline is filed on behalf of the University of Northwestern-St. Paul (UNWSP) pursuant to 47 C.F.R. §1.3 of the Commission's rules, in accordance with footnote 36 of the FCC's AM Revitalization First Report & Order released October 23, 2015 (*1st R&O*) and the Modification Window Procedures Public Notice released October 26, 2015 (Notice).

UNWSP holds a construction permit for FM Translator W248CU, Minneapolis, MN, Fac. Id. 138656 (BMPFT-20160729ABH) (the "Permit") that will expire on May 15, 2017. UNWSP held this Permit in 2016 and relocated it as part of the second 2016 250-mile FM Translator Modification Window to Minneapolis, MN for use with its co-owned AM station KTIS, Minneapolis, MN (Fac. Id. 49770). UNWSP previously obtained construction permit deadline waivers, the first through December 15, 2017 because it had to wait until the second 2016 window to relocate the translator, and the second through the current deadline of May 15, 2017 to enable construction time after the 2016 modification application was mutually exclusive with another application and was not granted until November 15, 2016.

UNWSP would have otherwise been able to complete construction of the Permit by the May 15, 2017 deadline but for a recent loss of the permitted antenna structure/tower site specified in the Permit due to a change in ownership of the site. UNWSP has now obtained reasonable assurance from another building owner and recently filed for a modification of the

Permit (pending application BMPFT-20170320ANS) for the new site. UNWSP is negotiating the final terms of a lease with the new site owner, and is in the process of refining the pattern for its directional antenna that is taking longer than expected before an order can be placed. These unanticipated developments have introduced uncertainty as to the scheduling and buildout of the authorized facilities in the Permit. A further waiver of the Permit construction deadline by an additional sixty (60) days until July 15, 2017 would ensure that UNWSP's efforts to provide translator service for KTIS will not be lost. UNWSP therefore requests a temporary waiver of the Permit deadline for an additional sixty (60) days until July 15, 2017.

UNWSP has diligently pursued revitalization of KTIS's AM signal, and hereby re-commits to prompt station construction and initiation of broadcast operations, thereby satisfying the *1st R&O*'s requirement for this waiver request to be granted as presumptively in the public interest. A grant of this waiver request is also in the public interest because it will allow UNWSP to realize AM service improvements quickly and furthers the FCC's effort to expand cross-service opportunities for AM stations.

Please do not hesitate to contact the undersigned with any questions or requests for additional information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph C. Chautin, III". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Joseph C. Chautin, III
Counsel for University of Northwestern-St. Paul

cc: Victoria McCauley