



(REFERENCE COPY - Not for submission)

Amendment to Tolling

File Number: **0000205618** | Submit Date: **02/13/2023** | Call Sign: **W41DK-D** | Facility ID: **167356** | FRN: **0002017572**
State: **West Virginia** | City: **KEYSER**
Service: **LPD** | Purpose: **Amendment** | Status: **Granted** | Status Date: **03/17/2023** | Expiration Date: **04/14/2023**
Filing Status: **InActive**

General Information

| Section | Question | Response |
|-------------|--|----------|
| Attachments | Are attachments (other than associated schedules) being filed with this application? | Yes |

Applicant Information

Applicant Name, Type, and Contact Information

| Applicant | Address | Phone | Email | Applicant Type |
|---|--|----------------------|------------------------|-------------------|
| WEST VIRGINIA EDUCATIONAL BROADCASTING AUTHORITY | Carl J. Antolini III 600 CAPITOL STREET CHARLESTON, WV 25301 United States | +1 (304) 556-4903 | bantolini@wvpublic.org | Government Entity |

Authorization Holder Name

Check box if the Authorization Holder name is being updated because of the sale (or transfer of control) of the Authorization(s) to another party and for which proper Commission approval has not been received or proper notification provided.

**Contact
Representatives
(2)**

| Contact Name | Address | Phone | Email | Contact Type |
|---|--|-----------------------|-------------------------------|-----------------------------|
| Virginia D Hiner <i>FCC Counsel</i> Akin Gump Strauss Hauer & Feld LLP | 2001 K Street Northwest Washington, DC 20006 United States | +1 (202) 887- 4424 | vhiner@akingump.com | Legal Representative |
| Ryan Wilhour <i>Consulting Engineer</i> Kessler and Gehman Associates, Inc. | 507 NW 60th ST, STE D Gainesville, FL 32607 United States | +1 (352) 332- 3157 | ryan@kesslerandgehman. com | Technical Representative |

Tolling Questions

| Section | Question | Response |
|---|---|-------------|
| Applicant certifies that construction cannot be completed due to: | Legal reasons beyond station's control (e.g., litigation, international coordination): | |
| | Severe financial hardship (e.g., bankruptcy, negative cash flow): | |
| | other reasons (e.g., natural disasters): | Yes |
| | Has the construction period for this station been previously extended? | Yes |
| | Applicant requests that the time within which to complete construction be extended until: | 04/14 /2023 |

Certification

| Section | Question | Response |
|--|---|--|
| <p>General Certification Statements</p> | <p>The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).</p> | |
| | <p>The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR §1.2002(b), for the definition of "party to the application" as used in this certification §1.2002 (c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.</p> | |
| <p>Authorized Party to Sign</p> | <p>FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID</p> <p>Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application.</p> <p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND /OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, §503).</p> | |
| | <p>I certify that this application includes all required and relevant attachments.</p> | <p>Yes</p> |
| | <p>I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.</p> | <p>Carl J Antolini , III . <i>Executive Director</i></p> <p>02/13/2023</p> |

Attachments

| File Name | Uploaded By | Attachment Type | Description |
|---|-------------|-----------------|--------------------------------|
| <u>W41DK-D (Keyser) - Amendment to Fourth Tolling Request (Feb. 2022) (updated).pdf</u> | Applicant | Amendment | duplicate attachment |
| <u>W41DK-D (Keyser) - Amendment to Fourth Tolling Request (Feb. 2022) (updated).pdf</u> | Applicant | All Purpose | Amended tolling waiver request |
| <u>WVEBATollingWaivers 3-17-23.pdf</u> | Internal | All Purpose | |