



Federal Communications Commission
Washington, D.C. 20554

February 4, 2019

Mission Broadcasting, Inc.
30400 Detroit Road
Suite 304
Westlake, OH 44145

Re: Request for Extension of
Construction Permit
KASN(TV), Pine Bluff, AR
Facility ID No. 41212
LMS File No. 0000067252

Dear Licensee,

On January 25, 2019, Mission Broadcasting, Inc. (Mission), the licensee of Station KASN(TV), Pine Bluff, Arkansas (KASN or Station), filed the above captioned application seeking a further extension of the Station's construction permit expiration date. For the reasons below, we grant Mission's request and extend KASN's construction permit expiration date by 120 days to May 29, 2019.

Background. Pursuant to Section 73.3700(b)(5) of the Commission's rules, a station may request a single extension of its construction permit deadline of up to 180 days to complete construction of its post-auction facility.¹ Grant of an extension of the construction permit deadline does not alter the deadline by which a station must cease operating on its pre-auction channel. The application must demonstrate that the station is unable to complete construction on time due to circumstances that were either unforeseeable or beyond the station's control.² KASN has ceased operation on its pre-auction channel and commenced operation on its post-auction channel from an interim facility.³ On December 12, 2018, the Video Division granted Mission's request to have its construction permit extended for sixty days until January 29, 2019.⁴ Mission now seeks to the full 180-day extension referenced in the Commission's rules. According to Mission, it is unable to complete construction of its authorized post-auction facility as the result of weather-related issues, including low temperatures, rain and wind. A tower crew has been on site and working daily when possible. In light of these facts, Mission requests a further extension of its construction permit of 120 days until May 29, 2019.

Discussion. Upon review of the facts and circumstances presented, we find Mission's request to extend the construction permit deadline to construct KASN's post-auction facility meets the requirements for a construction permit extension. Mission has demonstrated that an extension is needed due to tower

¹ See 47 CFR § 73.3700(b)(5). All subsequent requests for additional time to construct are subject to the Commission's tolling provisions, 47 CFR § 73.3598(b).

² See *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd 6567,6804-05, paras. 581-2 (2014) (providing examples of six circumstances that might justify an 180-day extension of a station's post-auction construction permit); 47 CFR § 73.3700(b)(5)(ii) and (iii).

³ See Transition Progress Report, LMS File No. 0000064049 (indicating the station has ceased operations on its pre-auction channel). A request for special temporary authority (STA) to operate at variance from the parameters in the Station's post-auction construction permit has been and granted by the Commission. See LMS File No. 0000063679.

⁴ See LMS File No. 0000063759.

rigging and local permitting issues beyond its control. We also find that grant of this extension request is not likely to negatively impact the overall transition schedule. The Station has ceased operation on its pre-auction channel and commenced operation on its post-auction channel from an interim facility. To the extent some viewers are unable to receive signal while it operates from its interim facility, we believe that Mission has every incentive to ensure viewers are fully informed about the Station's transition plan.

The above facts considered, Mission's application for extension of construction permit expiration date **IS GRANTED**. The construction permit for KASN, Pine Bluff, AR, **IS EXTENDED** for 120 days to **May 29, 2019** (LMS File No. 0000034796). Grant of this extension does not permit KASN to recommence operation on its pre-auction channel. We also remind Mission that any subsequent requests for extension of its construction permit deadline will be subject to the Commission's tolling provisions.⁵

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara A. Kreisman', with a long horizontal flourish extending to the right.

Barbara A. Kreisman
Chief, Video Division
Media Bureau

cc (via electronic mail):
Gregory L. Masters, Esq.

⁵ See 47 CFR § 73.3700(b)(5)(i) (referencing 47 § CFR 73.3598(b)).