



Pillsbury
Winthrop
Shaw
Pittman^{LLP}

2300 N Street, N.W.
Washington, D.C. 20037-1128

Tel 202.663.8000
Fax 202.663.8007
www.pillsburylaw.com

Kathryn R. Schmeltzer
202.663.8000
kathryn.schmeltzer@pillsburylaw.com

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By Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

**Re: Request for Waiver of the Construction Deadline for a Checklist Facility
WSMH-DT, Flint, MI (FIN: 21737)
MB Docket No. 03-15**

Dear Ms. Dortch:

By this letter, WSMH Licensee LLC, the applicant for a construction permit for WSMH-DT, Flint, Michigan (“WSMH”), hereby requests a temporary six-month extension and waiver of its August 4, 2005 construction deadline for a “checklist” facility. *See* Public Notice, DA 05-1636 (June 15, 2005). As discussed in detail below, a waiver is warranted here because the construction of the checklist digital facilities has been delayed by factors beyond the applicant’s control and because the public interest would be served.

In 1999, WSMH timely filed an application for a construction permit for a full-power digital facility. *See* File No. BPCDT-19991028ACK. Because of the necessity to coordinate the station’s proposed operations with Canadian stations, that application is still pending. In August 2004, the FCC issued an order requiring stations that had not yet received DTV construction permits, such as WSMH, to build “checklist” facilities by August 2005. *See Second Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*, FCC 04-192, at ¶ 110 (2004).

WSMH submits that a waiver of the checklist construction deadline is warranted here. The tower on which the station’s analog antenna is presently located cannot support another antenna, and other facilities cannot be altered, or expanded, to

