



Federal Communications Commission  
Washington, D.C. 20554

June 13, 2012

WWAZ License, LLC and KDMI License, LLC  
500 South Chinowth Road  
Visalia, California 93277

Re: File Nos. BMPCDT-20040209ABG; BMPCDT-  
20090423ABJ  
Stations WWAZ-TV, Fond du Lac, Wisconsin and  
KDMI(TV), Des Moines, Iowa  
Fac. ID Nos. 60571 and 78915

Dear Ms. Victory:

Pending before the staff is a June 7, 2012 letter requesting a brief extension of the tolling relief granted the above-captioned digital construction permits on October 29, 2009. According to the original grant of tolling relief, construction of digital facilities for the captioned stations was to be completed within six months of termination of the bankruptcy proceedings involving the stations' owners, Harry J. and Stella Pappas. For the reasons set forth below, we will grant a single, brief extension of tolling relief until September 12, 2012.<sup>1</sup>

Pursuant to the terms of the reorganization approved by the Bankruptcy Court, Harry Pappas's assets were moved to the Pappas Liquidating Trust with Harry Pappas as the initial trustee. Because certain financial benchmarks agreed to by the lender and Harry Pappas were not met, Lee W. Schubert was named as the Successor Trustee. WWAZ License, LLC, and KDMI License, LLC state that "substantive progress has been made on construction of both stations" since that time. They state that much of the necessary equipment has already been received and some of it already installed, and that programming arrangements are in order.


Section 73.3598(b)(2) of the Commission's rules provides that a construction permit deadline may be tolled where a licensee could not build because of a pending bankruptcy court action. Moreover, in the *1998 Streamlining Order*, the Commission recognized that tolling might be warranted under other rare and exceptional circumstances beyond the permittee's control.<sup>2</sup> Given the steps taken by WWAZ License and KDMI License to build out the above-captioned stations, and the ongoing involvement of the Pappas Liquidating Trust, we will grant a single brief extension in this unique case until September 12, 2012. We will grant no further extensions.

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<sup>1</sup> Our decision to extend tolling relief will include the digital construction permits for WWAZ License's two fill-in translators at Columbus and Ripon, Wisconsin. See File Nos. BMPCDT-20120525ADX and BMPCDT-20110104ABC.

<sup>2</sup> *1998 Biennial Review - Streamlining of Mass Media Applications, Rules and Processes*, 14 FCC Rcd 17525, 17541 (1999), on reconsideration of 13 FCC Rcd 23056 (1998).

The above facts considered, the requests for extension of tolling relief ARE GRANTED and the construction deadlines ARE TOLLED until September 12, 2012.

Sincerely,  
  
David J. Brown  
Associate Chief, Video Division  
Media Bureau

cc: Kathleen Victory, Esq.  
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