

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
A RADIO COMPANY, INC.)	Facility ID No. 69853
)	FCC File No. BP-20170427AAE
AM Broadcast Station WEGA)	
Vega Baja, Puerto Rico)	

To: Chief, Audio Division, Media Bureau
Attention: Victoria McCauley, Esquire

REQUEST FOR TOLLING OF CONSTRUCTION PERMIT

A Radio Company, Inc., licensee of AM Broadcast Station WEGA, Facility ID No. 69853, Vega Baja, Puerto Rico, respectfully requests that the period of construction pursuant to the construction permit granted in FCC File No. BP-20170427AAE, be tolled beyond its current July 31, 2020, expiration date, for a period of 301 days (nine months and 27 days) or until May 28, 2021. In support of this request, the following is shown.

Construction of the authorized facilities is virtually complete. The only remaining tasks are to complete field measurements, namely, the directional antenna proof of performance, and preparation and filing of the covering license application and exhibits. The licensee may not be able to complete these tasks by the current expiration date, due to two discrete circumstances beyond its control.

First, the licensee was prepared to begin field testing following the completion of physical construction by September 2019. However, its consulting engineer discovered a pirate radio station operating on WEGA's assigned frequency of 1350 kHz, which prevented field measurements from being taken. This was brought to the Commission's attention in the licensee's request for extension of Special Temporary Authority to operate with an emergency antenna, filed September 26, 2020 (copy attached). By the time the pirate station had been investigated,¹ another circumstance beyond the licensee's control had arisen, which further prevented completion of construction, namely, the current coronavirus pandemic.

On March 12, 2020, Puerto Rico's governor, Wanda Vazquez, declared a state of emergency due to emergence of the novel coronavirus COVID-19, the first governor in the nation to order businesses to close and people to stay home. The lockdown order was partially lifted effective June 16, 2020, but the island's curfew remains in effect until July 22, 2020, and possibly longer. The government order has prevented the licensee from completing field work.

A tolling period of 301 days (nine months and 27 days) is accordingly requested, from September 26, 2019, to July 22, 2020.

A Radio Company, Inc., has sought to reconstruct its directional antenna system for more than a decade. It has been plagued by hazardous conditions at the

¹ It was subsequently learned that the problem with the interfering station involved excessive harmonics on WEGA's assigned frequency, and this was satisfactorily resolved.

transmitter site, local governmental delays, vandalism, delays in equipment delivery, damage from Hurricane Maria, a co-channel pirate operation and now, a pandemic.

WEGA is in the proverbial home stretch of construction. Physical construction is complete, as shown by the attached photographs. The public interest would be served by tolling the construction permit, to enable the licensee to complete the long sought-after restoration of service to the public.

It is respectfully requested.

Respectfully submitted,

A RADIO COMPANY, INC.

By: /s/ John Wells King

Its Counsel

LAW OFFICE OF JOHN WELLS KING, PLLC
4051 Shoal Creek Lane East
Jacksonville FL 32225-4792
Tel: 904-647-9610
Email: John@JWKingLaw.com

July 14, 2020

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0386 (July 2002)	FOR FCC USE ONLY
Extension of Existing Engineering STA Read Instructions/FAQ before filling out form		FOR COMMISSION USE ONLY FILE NO. - 20190926AAB

Section I - General Information

1.	Legal Name of the Applicant A RADIO COMPANY, INC.		
	Mailing Address P.O. BOX 6537		
	City CAGUAS	State or Country (if foreign address) PR	Zip Code 00726 -
	Telephone Number (include area code) 7877433346		E-Mail Address (if available)
	FCC Registration No 0010555654	Call Sign WEGA	Facility ID Number 69853
2.	Contact Representative (if other than licensee/permittee) JOHN WELLS KING		Firm or Company Name LAW OFFICE OF JOHN WELLS KING, PLLC
	Mailing Address 4051 SHOAL CREEK LANE EAST		
	City JACKSONVILLE	State or Country (if foreign address) FL	ZIP Code 32225 - 4792
	Telephone Number (include area code) 9046479610		E-Mail Address (if available) JOHN@JWKINGLAW.COM
3.	Purpose: <input type="radio"/> Engineering STA <input checked="" type="radio"/> Extension of Existing Engineering STA File Number: BSTA - 20180301AAY <input type="radio"/> Legal STA <input type="radio"/> Extension of Existing Legal STA		
4.	Service: AM		
5.	Community of License: City: VEGA BAJA State: PR		
6.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial Educational Licensee/Permittee <input checked="" type="radio"/> Other FEE EXEMPT <input type="radio"/> N/A (Fee Required)		
7.	Environmental Protection Act. The proposed facility is excluded from environmental processing under 47. C.F.R. Section 1.1306 (i.e., The facility will not have a significant environmental impact and complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments). Unless the applicant can determine compliance through the use of the RF worksheets in Appendix A, an Exhibit is required. By checking "Yes" above, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.		<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 33]

8.	Please explain in detail the "extraordinary circumstances" which warrant temporary operations at variance from the Commission's Rules. In addition, please specify 1) the specific rules and/or policies from which the applicant seeks temporary relief; 2) how the public interest will be furthered by grant; and 3) the expected duration of the STA and the licensee's plan for restoration of licensed operation. If requesting variance with other than authorized technical facilities, please specify the exact facilities sought.	[Exhibit 34]
9.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	<input checked="" type="radio"/> Yes <input type="radio"/> No

I hereby certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

Typed or Printed Name of Person Signing JOHN WELLS KING	Typed or Printed Title of Person Signing COUNSEL
Signature	Date (mm/dd/yyyy) 9/26/2019

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Attachment 13

Description
Statement re Emergency Antenna

Exhibit 34

Description: EXTRAORDINARY CIRCUMSTANCES

Attachment 34

Description
Statement re Extraordinary Circumstances

**Statement In Support of Special Temporary Authorization for WEGA
Emergency Antenna As Previously Authorized**

September 2019

A Radio Company, Inc., requests an extension of Special Temporary Authority to operate WEGA with an emergency antenna as previously authorized, pending completion of construction of facilities authorized in BP-20170427AAE.

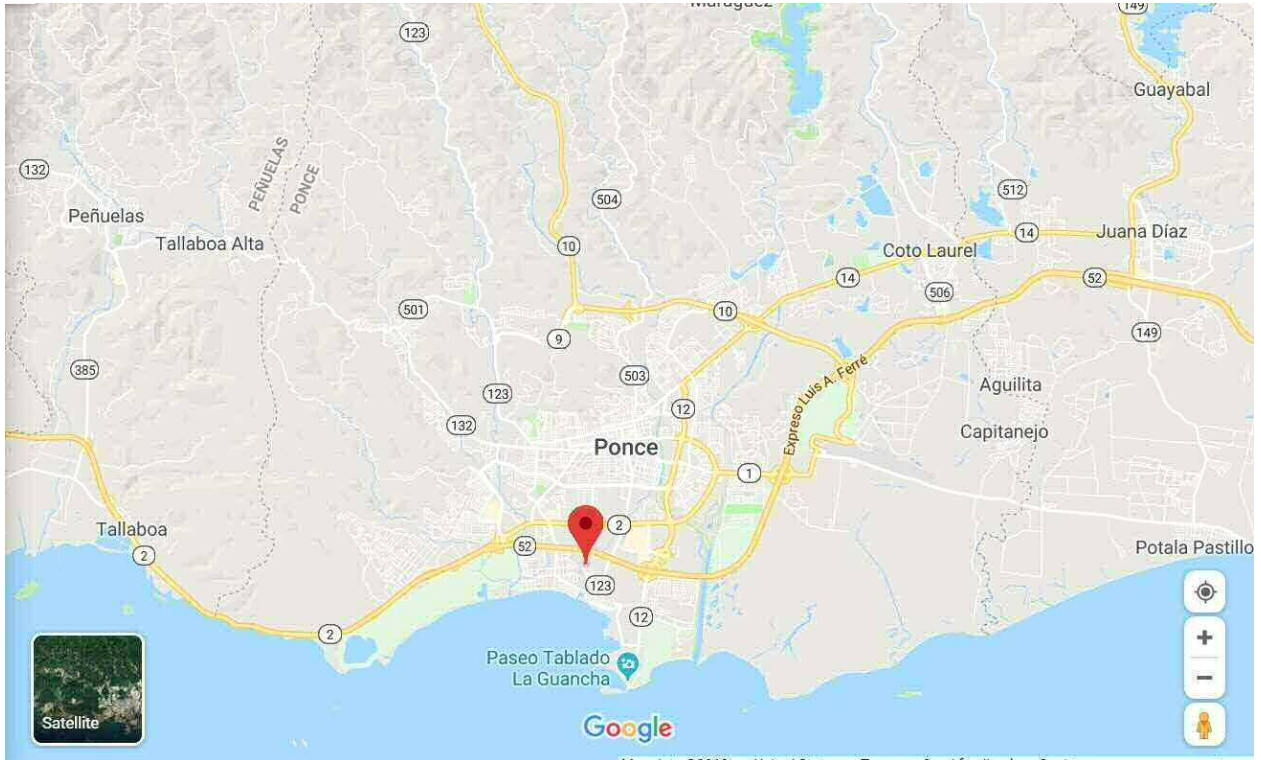
The Commission previously authorized WEGA to operate with an emergency non-directional antenna and reduced power of 0.625 kilowatt. FCC File No. BSTA- 20120515ABJ, most recently extended by BESTA-20190320AAY, expiring October 1, 2019.

The licensee has been unable during the term of the previous STA to complete construction of the modified facilities and to return the facilities to licensed operation, due to a pirate radio operation that has been discovered operating on WEGA's licensed frequency of 1350 kHz. This has caused interference to WEGA and has prevented WEGA from conducting its proof of performance for the modified facilities.

WEGA's consulting engineer, Eugenio Figueroa, identified the presence of the pirate signal and its location, at 17 59 14.1 N 66 37 21.0 W. He has photographed the site:



The pirate site is on the southern coast of Puerto Rico in Ponce, about 37 miles from the licensed WEGA transmitter site, at Vega Baja on the north coast.



An extension of authority is accordingly respectfully requested. In addition, the licensee requests that the Commission immediately investigate the pirate operation and order it to be shut down at the earliest possible time. The outstanding construction permit expires July 31, 2020. Each day that the pirate operation continues to operate increases the risk that WEGA will be unable to complete construction within the time permitted.

Federal Communications Commission

FCC MB - CDBS Electronic Filing
Account number: 206780

Description: EXTENSION OF STA FOR EMERGENCY ANTENNA
Application Reference Number: 20190926AAB
Successfully filed at Sep 26 2019 10:46AM

Based on the information supplied, no fee is required.

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Photographs of WEGA Transmitter Site, Construction Pursuant to BP-20170427AAE

September 2019



WEGA Transmitter Site Building



Tower 1



Tower 2



Antenna Monitor



Phasor



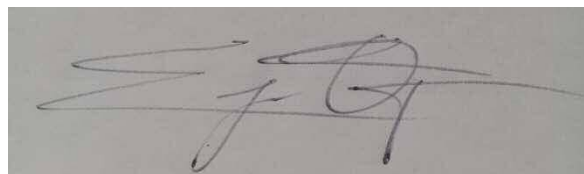
Transmitter

DECLARATION

The undersigned, Eugenio Figueroa, hereby declares and states the following:

1. I was retained by Radio Station WEGA, Vega Baja, Puerto Rico. to supervise the construction of modified radio facilities and to perform tests of the constructed facilities in connection with its application for FCC license.
2. I have read the "Request for Tolling of Construction Permit," to which this Declaration is attached.
3. The statements contained in the Request of which I have personal knowledge are true and accurate to my knowledge. As to those statements of which I have no personal knowledge, I believe them to be true.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct. Executed on July 14 , 2020.

A handwritten signature in dark ink, appearing to be 'E. Figueroa', written over a horizontal line.

Eugenio Figueroa