

From: [Garziglia, John](#)
To: [Victoria McCauley](#); [Tom Hutton](#)
Subject: FW: KSVY Tolling Request (FCC File No. BPED-20170530ACJ)
Date: Monday, October 12, 2020 5:59:16 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[KSVY tolling-signed.pdf](#)

To: Secretary, Federal Communications Commission
Attn: Audio Division (Victoria McCauley and Tom Hutton)

On behalf of Sonoma Valley Community Communications, this is a status report to the attached April 30, 2020 grant of tolling for the KSVY(FM), Sonoma, California construction permit (FCC File No. BPED-20170530ACJ, and a request for tolling to remain in effect.

Since requesting tolling, the COVID-19 pandemic issue still continues in California with fundraisers in particular forbidden in which KSVY supporters gather and which KSVY is dependent upon for funds. Gatherings also restrict the assembling of volunteers to assist in the build-out of the KSVY construction permit facility. KSVY has partially attempted to overcome the COVID-19 restrictions with Zoom software.

Along with the COVID-19 pandemic, there have been extensive fires in Sonoma County starting with the LNU Complex 8-17-2020 fire lasting weeks and the more recent Glass 9-27-2020 fires which are just wrapping up. The fires have caused personnel evacuations and contact difficulties with county offices due to these extensive fires which have made communication with governmental officials required to issue various interim permits impossible at times.

The positive news is that Sonoma Valley Community Communications now has the funding for the project of building out the construction permit. Sonoma Valley Community Communications has ordered the transmitting antenna. The installation crews are ready and able but must comply with governmental COVID-19 restrictions. Sonoma Valley Community Communications expects, even with the COVID-19 restrictions still largely in place in California, to complete KSVY construction by the end of Winter.

Sonoma Valley Community Communications therefore respectfully requests an extension of tolling in order to continue to deal with state, county and local restrictions on gatherings of people, and the delays and government official unavailability caused by both the COVID-19 pandemic and more recently the extensive fires in its county.

Sonoma Valley Community Communications must make a significant full payment for its transmitting antenna in the next several days, an expenditure that would be for naught if tolling is not continued. Accordingly, Sonoma Valley Community Communications respectfully requests continued tolling of its KSVY construction permit expiration date pending COVID-19 delays being resolved.

Respectfully submitted,

John F. Garziglia
Counsel to Sonoma Valley Community Communications

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From: Victoria McCauley <Victoria.McCauley@fcc.gov>

Sent: Thursday, April 30, 2020 5:09 PM

To: Garziglia, John <John.Garziglia@wbd-us.com>; Tom Hutton <Tom.Hutton@fcc.gov>

Subject: RE: KSVY Tolling Request (FCC File No. BPED-20170530ACJ)

Dear John,

Please see the attached letter granting tolling. Please address any future tolling requests formally to the Office of the Secretary (as in the past-only not on paper), but send via only email to me and Tom, as you did here. Thanks.

Vicky

Victoria McCauley

Attorney/Advisor

Audio Division

Media Bureau

202 418 2136

Victoria.McCauley@fcc.gov



For FCC Official Use Only

From: Garziglia, John

Sent: Thursday, April 30, 2020 3:38 PM

To: Victoria McCauley ; Tom Hutton

Subject: RE: KSVY Tolling Request (FCC File No. BPED-20170530ACJ)

Hi Vicky and Tom,

I neglected to also send the tolling request below to Tom. My apologies. I am writing to confirm its receipt, and to ask about its status. Thank you.

I hope that you both are doing well.

All the best,

John

John Garziglia

Partner

Womble Bond Dickinson (US) LLP

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From: Garziglia, John

Sent: Thursday, April 23, 2020 9:53 AM

To: Victoria McCauley (Victoria.McCauley@fcc.gov) <Victoria.McCauley@fcc.gov>

Subject: KSVY Tolling Request (FCC File No. BPED-20170530ACJ)

Dear Ms. McCauley,

This is a request on behalf of NCE licensee Sonoma Valley Community Communications for tolling of the KSVY(FM), Sonoma, CA (Facility ID No. 78100) FCC File No. BPED-20170530ACJ construction permit expiration date pursuant to Section 73.3598(b)(1)&(2) of the Commission's rules. The construction permit is currently set to expire on June 14, 2020.

When the COVID-19 crisis hit, KSVY was actively pursuing the completion of the construction of the KSVY modifications specified in FCC File No. BPED-20170530ACJ which involve relocating the KSVY transmitter site to an existing tower owned by Sonoma County. KSVY has purchased and had delivered the new transmitter. Before the covid-19 crisis, KSVY was working with Sonoma County to obtain the final documents for locating on the county's tower. KSVY has an agreement for a use of the tower with Sonoma County and has paid the applicable \$6,500 fee.

With the COVID-19 pandemic, state, counties and cities in California acted early and swiftly at the inception of the pandemic issuing a "Stay Home Except for Official Needs" Order on March 19, 2020. That Order brought all KSVY construction activities to a halt. Moreover, with KSVY being an NCE station that must rely upon grants and donations for capital expenses, the COVID-19 Order put a halt to fundraisers in which KSVY supporters gather and KSVY is dependent upon for funds. Because of the "Stay Home Except for Official Needs" Order, KSVY now has no staff or volunteers on the station's premises to assist with construction activities.

In sum, KSVY activities toward completing the construction of the KSVY facilities have been derailed on numerous fronts in the 11th hour.

Therefore, due to the unexpected COVID-19 crisis and the necessary governmental actions in response, Sonoma Valley Community Communications respectfully requests a tolling of the June 14, 2020 expiration date of the KSVY(FM) construction permit until 90 days after state, county and local restrictions on gatherings of people are lifted and normal activities resume.

Respectfully submitted,

John F. Garziglia
Counsel to Sonoma Valley Community Communications

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