



Federal Communications Commission
Washington, D.C. 20554
April 1, 2005

Guardian Vision International
c/o James A. Koerner, Esquire
Koerner & Olender, P.C.
5809 Nicholson Lane, Suite 124
North Bethesda, MD 20852-5706

Re: WSFJ-TV, Newark, OH
Facility ID No. 11118
File No. BPCT-20010213ABM

Dear Licensee:

This responds to your timely request to toll the construction permit of the above-captioned facility filed on January 21, 2005, and supplemented on February 8, 2005.

The WSFJ-TV construction permit was granted on June 6, 2002 and, by its terms, is presently scheduled to expire on June 6, 2005. Section 73.3598(b) of the Commission's Rules, 47 C.F.R. §73.3598(b), provides, among other things, for the tolling of a construction permit for certain reasons that are not under the control of the permittee, such as "acts of God." You request such tolling based on an unexpected and severe winter storm that struck the mid-west United States on December 22, 2004, causing wide-spread power outages and other damage that has temporarily delayed the scheduled completion of station construction.

In this regard, you state that immediately prior to the storm, you were coordinating on-site work related to the building and tower foundation. After the storm and through early January, the Governor of Ohio declared states of emergency in ultimately 34 counties, including Licking County where the WSFJ-TV transmitter is located, and nearby counties where various contractors used in connection with station construction are located. During this time, you report that on-site work at the station virtually stopped as some of these contractors and power crews were diverted to storm-related priorities and activities, which lasted far after the storm itself. Although limited work at the station resumed in early January, you estimate the total delay resulting from the storm could be as long as six weeks.¹ Accordingly, you request that the expiration of the WSFJ-TV construction period be tolled for six weeks.

¹ You have identified some of the delays and timetables to overcome those delays. They primarily involve the rearranging the schedules of engineers, contractors and utility companies, and the attendant coordination with necessary local and federal officials. You also note that you have had to make plans for the temporary storage and movement of equipment that was to be delivered to the transmitter site.

We have reviewed your request for tolling, and find that you have set forth adequate facts and documentation to demonstrate that tolling of the WSFJ-TV construction permit for six weeks, or until July 18, 2005, is warranted.

Accordingly, IT IS ORDERED that your request to toll the above-captioned construction permit IS GRANTED, and that the expiration of that construction permit IS TOLLED until July 18, 2005.

Sincerely,

Clay C. Pendarvis
Associate Chief, Video Division
Media Bureau