

## § 74.788

(iv) The following sections are applicable to replacement digital television translator stations:

- § 73.1030 Notifications concerning interference to radio astronomy, research and receiving installations.
- § 74.703 Interference.
- § 74.709 Land mobile station protection.
- § 74.734 Attended and unattended operation.
- § 74.735 Power Limitations.
- § 74.751 Modification of transmission systems.
- § 74.763 Time of Operation.
- § 74.765 Posting of station and operator licenses.
- § 74.769 Copies of rules.
- § 74.780 Broadcast regulations applicable to translators, low power, and booster stations (except § 73.653—Operation of TV aural and visual transmitters and § 73.1201—Station identification).
- § 74.781 Station records.
- § 74.784 Rebroadcasts.

(b) *Definitions of “major” and “minor” changes to digital low power television and television translator stations.* (1) Applications for major changes in digital low power television and television translator stations include any change in the frequency (output channel) not related to displacement relief or transmitting antenna location where the protected contour resulting from the change does not overlap some portion of the protected contour of the authorized facilities of the existing station.

(2) Other facilities changes will be considered minor.

[69 FR 69333, Nov. 29, 2004, as amended at 74 FR 23655, May 20, 2009]

## § 74.788 Digital construction period.

(a) Each original construction permit for the construction of a new digital low power television or television translator station shall specify a period of three years from the date of issuance of the original construction permit within which construction shall be completed and application for license filed.

(b) Any construction permit for which construction has not been completed and for which an application for license or extension of time has not been filed, shall be automatically forfeited upon expiration without any further affirmative cancellation by the Commission.

(c) *Authority delegated.* (1) Authority is delegated to the Chief, Media Bureau

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to grant an extension of time of up to six months beyond the relevant construction period for each original construction permit upon demonstration by the digital licensee or permittee that failure to meet the construction deadline is due to circumstances that are either unforeseeable or beyond the licensee's control where the licensee has taken all reasonable steps to resolve the problem expeditiously.

(2) Such circumstances shall include, but shall not be limited to:

(i) Inability to construct and place in operation a facility necessary for transmitting digital television, such as a tower, because of delays in obtaining zoning or FAA approvals, or similar constraints;

(ii) The lack of equipment necessary to obtain a digital television signal; or

(iii) Where the cost of construction exceeds the station's financial resources.

(3) The Bureau may grant no more than two extension requests upon delegated authority. Subsequent extension requests shall be referred to the Commission. The Bureau may deny extension requests upon delegated authority.

(4) Applications for extension of time shall be filed no earlier than 90 and no later than 60 days prior to the relevant construction deadline, absent a showing of sufficient reasons for filing within less than 60 days of the relevant construction deadline.

[69 FR 69334, Nov. 29, 2004]

## § 74.789 Broadcast regulations applicable to digital low power television and television translator stations.

The following sections are applicable to digital low power television and television translator stations:

- § 73.1030 Notifications concerning interference to radio astronomy, research and receiving installations.
- § 74.600 Eligibility for license.
- § 74.703 Interference.
- § 74.709 Land mobile station protection.
- § 74.732 Eligibility and licensing requirements.
- § 74.734 Attended and unattended operation.
- § 74.735 Power limitations.
- § 74.751 Modification of transmission systems.