



Federal Communications Commission
Washington, D.C. 20554

January 24, 2022

Sent via electronic mail

In reply refer to: 1800B3-KC

John S. Neely, Esq.
Miller and Neely, PC
4 Simms Court
Kensington, MD 20895
johnsneely@yahoo.com

RE: W238BY, Crisfield, MD
Facility ID No. 154039
Silent since April 8, 2021
Request for Special
Temporary Authority to Remain Silent

Dear Mr. Neely:

This letter concerns the request you filed on October 19, 2021, on behalf of The Voice Radio, LLC (VR), for Special Temporary Authority (STA) to permit FM Translator Station W238BY to remain silent.

VR's request states that Station W238BY went silent on April 8, 2021, for technical reasons.

VR's request is granted. Accordingly, Special Temporary Authority is granted to permit Station W238BY to remain silent until April 8, 2022. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station W238BY will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., April 9, 2022.**¹

VR is required to notify the Commission when broadcast operations resume. If VR does not file the notification of resumption of operations in a timely manner, the license may be subject to cancellation pursuant to section 312(g) of the Communications Act, as amended.²

The station's silent status does not suspend the licensee's obligation to comply with all other relevant Commission rules, including the filing, when appropriate, of applications for renewal of broadcast license. It is imperative to the safety of air navigation that any prescribed painting and illumination of the station's tower shall be maintained until removed.³

Finally, section 73.1740(a)(4) of the Commission's Rules permits licensees to temporarily discontinue operations for good cause, and for a period not to exceed 30 days without further authority.⁴ This rule requires that the licensee notify the Commission by letter not later than the 10th day of limited or discontinued operations, and requires a licensee to seek Commission authorization for any period of

¹ See 47 U.S.C. § 312(g).

² *Id.* In addition to filing a notification of resumption of operations electronically on the date operations resume, notification of resumption must also be emailed to Denise.Williams@FCC.gov.

³ See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).

⁴ See 47 C.F.R. § 73.1740(a)(4).

limited or discontinued operations exceeding 30 days. VR failed to submit a timely request for an STA to permit Station W238BY to remain silent beyond May 8, 2021, and the action taken herein shall not be construed as authorizing the station to remain silent between May 8, 2021, and October 19, 2021.

Sincerely,

A handwritten signature in blue ink, reading "Victoria McCauley". The signature is fluid and cursive, with the first name "Victoria" and last name "McCauley" clearly distinguishable.

Victoria McCauley
Attorney, Audio Division
Media Bureau