



Federal Communications Commission
Washington, D.C. 20554

January 28, 2022

SENT VIA CERTIFIED MAIL AND ELECTRONIC MAIL

Channel 51 of San Diego, Inc.
4575 Viewridge Avenue
San Diego, CA 92123
ROBERT.JACOBI@COHNMARKS.COM

Re: Construction Permit Expirations

Dear Former Permittee:

This is with respect to the expired construction permits listed in the Appendix. Commission records indicate that you failed to file an application for license to cover by the construction permit expiration date.¹ Section 74.788(b) of the Commission's rules states that:

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.²

As such, the construction permits were automatically forfeited. We also note that the construction permit for K40LM-D was for an out-of-core channel (above channel 37) and as such could not be licensed on its assigned channel. Channel 51 of San Diego was permitted to file for displacement, but failed to do so by the construction permit expiration date.³

Accordingly, pursuant to sections 74.788(b) of the Commission's rules, the construction permits for the facilities listed in the Appendix were **AUTOMATICALLY FORFEITED** and the facilities' call signs have been **DELETED**.⁴ All authority to construct the stations have been **TERMINATED**. All pending applications will also be **DISMISSED**.

Sincerely,

/s/

Barbara A. Kreisman
Chief, Video Division
Media Bureau

¹ See 47 CFR §§ 74.788(b) and 73.1620(a)(1).

² 47 CFR § 74.788(b).

³ See *Media Bureau Lifts LPTV and TV Translator Applications Filing Freezes Effective April 18, 2019*, Public Notice, 34 FCC Rcd 1381 (MB 2019); 47 CFR § 74.787(a)(4).

⁴ This letter is being sent as a courtesy. Cancellation of the station's construction permit and deletion of its call sign by Media Bureau staff in the Licensing and Management System (LMS) is an administrative function and does not constitute an official Commission action nor require any affirmative cancellation by the Commission. See *Media Bureau Reminds Remaining Low Power Television and Television Translator Stations that the July 13, 2021 Digital Transition Date and Other Important Deadlines are One Week Away*, Public Notice, DA 21-786 (rel. July 6, 2021); 47 CFR § 74.788(b).

APPENDIX

Facility ID	Call Sign	Community	State	File No.
181405	K26KI-D	BANNING	CA	BNPDTL-20090825ACQ
181407	K40LM-D	EL CENTRO	CA	BNPDTL-20090825ACA