



Federal Communications Commission
Washington, D.C. 20554

February 10, 2022

Sent via electronic mail

In reply refer to: 1800B3-KC

Stephen T. Lovelady, Esq.
Shainis & Peltzman, Chartered
1850 M Street, NW, Suite 240
Washington, DC 20036
steve@s-plaw.com

RE: WFPA(AM), Fort Payne, AL
Facility ID No. 33782
Silent since July 28, 2021
Request for Special
Temporary Authority to Remain Silent

Dear Mr. Lovelady:

This letter concerns the request you filed on December 3, 2021, on behalf of Southern Torch, Inc. (ST), for Special Temporary Authority (STA) to permit AM Radio Station WFPA to remain silent.

ST's request states that Station WFPA(AM) went silent on July 28, 2021, for financial reasons.

ST's request is granted. Accordingly, Special Temporary Authority is granted to permit Station WFPA(AM) to remain silent until July 28, 2022. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station WFPA(AM) will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., July 29, 2022.**¹

ST is required to notify the Commission when broadcast operations resume. If ST 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). ST's request for waiver of this provision is denied.

limited or discontinued operations exceeding 30 days. ST failed to submit a timely request for an STA to permit Station WFPA(AM) to remain silent beyond August 28, 2021, and the action taken herein shall not be construed as authorizing the station to remain silent between August 28, 2021, and December 3, 2021.

Sincerely,

A handwritten signature in blue ink that reads "Victoria McCauley". The signature is fluid and cursive, with the first name being more prominent.

Victoria McCauley
Attorney, Audio Division
Media Bureau