



Federal Communications Commission  
Washington, D.C. 20554

June 2, 2023

In Reply Refer to: 1800B3-ARR

**CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Best Media, Inc.  
c/o Aaron P. Shainis, Esq.  
1850 M St NW  
Suite 240  
Washington, DC 20036  
(sent by electronic email to: [aaron@s-plaw.com](mailto:aaron@s-plaw.com))

In re: **FM Translator W264CW, Roosevelt,  
New Jersey**  
Facility ID No. 140947  
Renewal Application  
File No. 0000182651

**Notification of License Cancellations**

Dear Licensee:

This letter is to inform you that the license renewal application of FM translator station W264CW, Roosevelt, New Jersey (Station),<sup>1</sup> licensed to Best Media, Inc. (Licensee) is dismissed for failure to respond to the Media Bureau's Letter of Inquiry,<sup>2</sup> and the license for the Station is cancelled.

On April 28, 2022, we sent you a letter stating that we received an Informal Objection (Objection) from Press Communications, LLC (Press) alleging that the Station has been silent for more than twelve months, warranting automatic license expiration pursuant to section 312(g) of the Communications Act of 1934, as amended.<sup>3</sup> Licensee has failed to rebut this allegation.<sup>4</sup> Licensee was instructed to respond within 30 calendar days of the *LOI* and was warned that “[f]ailure to respond in full within the time period specified shall result in dismissal of the subject application for failure to respond to official correspondence pursuant to section 73.3568(a)(1) of the [FCC’s] Rules.”<sup>5</sup> As of today, no response has been received.<sup>6</sup> Accordingly, we dismiss the Application for failure to respond to the *LOI*.<sup>7</sup>

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<sup>1</sup> Application File No. 0000182651 (Application).

<sup>2</sup> See Letter from Albert Shuldiner, Chief, Audio Division, Media Bureau, FCC, to Best Media, Inc. (Apr. 28, 2023).

<sup>3</sup> Objection, Pleading File No. 0000190095 (filed May 4, 2022). Press also filed an Amendment to the Objection on May 13, 2022, Amendment, Pleading File No. 0000190775 (filed May 13, 2022).

<sup>4</sup> *LOI* at 1.

<sup>5</sup> *Id.* at 2 (emphasis in original) (citing 47 CFR § 73.3568(a) (“... failure to respond to official correspondence or request for additional information, will be cause for dismissal”).

<sup>6</sup> The *LOI* instructed Licensee to submit a response by both physical mail, addressed to the Office of the Secretary, and by email to Bureau staff. *LOI* at 5. Neither a physical nor electronic response has been received.

<sup>7</sup> See *LPFM MX Group 37*, Memorandum Opinion and Order, 31 FCC Rcd 7512, 7517, para. 12 (2016) (dismissing LPFM application for failure to respond to letter of inquiry); *Applications for Review of Decisions Regarding Six*

For the reasons set forth above, the license renewal application for Station W264CW, Roosevelt, New Jersey (Application File No. 0000182651) IS DISMISSED.

The Commission's public and internal databases HAVE BEEN MODIFIED to indicate that the broadcast license for the Station is EXPIRED, that the Station's license is CANCELLED, and that the Station's call sign is DELETED.

Finally, we note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the Station's tower be maintained until the tower is dismantled. Accordingly, the owner of the tower where the referenced Station's transmitting antenna is located is required to maintain the tower in the manner prescribed by our rules and the terms of the cancelled license.<sup>8</sup>

Sincerely,

Albert Shuldiner  
Chief, Audio Division  
Media Bureau

cc: Robert A. Silverman, Esq. ([Bob.Silverman@wbd-us.com](mailto:Bob.Silverman@wbd-us.com))  
(Legal Representative for Press Communications, LLC)

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*Applications for New Low Power FM Stations*, Memorandum Opinion and Order, 28 FCC Rcd 13390, 13391-93, para. 4-5 (2013) (affirming dismissal of LPFM application where applicant failed to respond to official correspondence from the Bureau).

<sup>8</sup> See 47 U.S.C. § 303(q); 47 CFR §§17.1 *et seq.* and 73.1213. See also *Streamlining the Commission's Antenna Structure Clearance Procedure*, Report and Order, 11 FCC Rcd 4272, 4293 (1995) (tower owner bears primary responsibility for maintaining tower painting and/or lighting).