



Federal Communications Commission
Washington, D.C. 20554

December 17, 2008

Agape Broadcasters, Inc.
c/o Christine A. Reilly, Esq.
Pillsbury, Winthrop, Shaw, Pittman, LLP
2300 N Street, N.W.
Washington, DC 20037-1122

Re: KFAM-LP, Lake Charles, LA
File No. BLSTA-20071219ACS
Fac. Id 59500

Dear Licensee:

This concerns your request filed November 12, 2008, on behalf of Agape Broadcasters, Inc. (Agape), licensee of KFAM-LP, Lake Charles, Louisiana, for Special Temporary Authority (STA) to remain silent. Agape previously obtained such STA authority, and on June 17, 2008, and that authority was subsequently extended until November 17, 2008.¹ In addition, you request waiver of Section 73.1740(c) of the Commission's Rules, 47 C.F.R. §73.1740(c), which states that the license for a broadcast station that fails to transmit signals for any consecutive 12-month period expires as a matter of law at the end of that period. For the reasons set forth in detail below, we grant your STA request and extend the construction permit ninety days to February 15, 2009, and waive §73.1740(c) of the Commission's Rules.

In your request, you report that on December 19, 2007, the licensee requested STA to remain silent due to studio modifications. Completion of the microwave backbone connecting the station to the studio was delayed due to volatile weather affecting the Gulf Coast during the past two hurricane seasons, as well as undetected equipment damage and difficulties scheduling engineering personnel, which required extension of the STA to remain silent through November 17, 2008. You state that although construction was nearly complete and the station ready to resume operations prior to November 17, 2008, the licensee's efforts were stymied by Hurricane Ike. However, now that Lake Charles and communities surrounding the station have recovered basic services and utilities and have begun reconstruction, Agape has been able to resume its efforts to complete station construction and resume normal operations by the end of the year. Accordingly, you request that previously granted STA to remain

¹ See BLSTA-20071219ACS; BLESTA-20080510ACE.

silent be extended, and that Section 73.1740(c) of the Commission's Rules be waived to accommodate construction.

Discussion. We find that Agape has demonstrated that it qualifies for a ninety-day extension of STA to remain silent until it completes construction and resumes operation of KFAM-LP. In this regard, we find the requested relief appropriate and consistent with past Commission actions to assist broadcast stations resume and maintain operations to the residents of the areas impacted by severe hurricanes.² Moreover, under these specific circumstances, we find that it is appropriate to waive Section 73.1740(c) of the Commission's Rules for a limited duration to accommodate the STA to remain silent until Agape completes construction and resumes operation of KFAM-LP.³

WHEREFORE, the above facts considered, the request for STA to remain silent filed by Agape Broadcasters, Inc. and the request for waiver of Section 73.1740(c) of the Commission's Rules ARE GRANTED for ninety days period, until March 15, 2009.

Sincerely,

Hossein Hashemzadeh
Associate Chief, Video Division
Media Bureau

² See, e.g., "Media Bureau Announces Procedures to Promote the Resumption of Radio and Television Broadcast Service to Areas Impacted By Hurricane Katrina," *Public Notice*, DA 05-2393, released August 31, 2005; and "Media Bureau Announces Procedures to Promote the Resumption of Radio and Television Broadcast Service to Areas Impacted By Hurricane Wilma," *Public Notice*, DA 05-2518, released October 25, 2005.

³ Section 73.1740(c) implements Section 312(g) of the Communications Act of 1934, as amended, 47 U.S.C. §312(g), which states, in pertinent part, that the failure to transmit any broadcast signals for a consecutive 12-month period results in the forfeiture of the underlying authorization "except . . . for any other reason to promote equity and fairness." Waiver of our rule under these circumstances for a limited duration to accommodate post-hurricane reconstruction of KFAM-LP is consistent with Section 312 of the Act.