



FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

March 11, 2009

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Jeff Chang
269 South Beverly Drive, PKM #704
Beverly Hills, CA 90212

Re: K33DK, Lucerne Valley, CA
Facility ID Number 14153
BLSTA-20090129AGB

Dear Licensee:

This refers to your notice, filed on December 15, 2008, entitled “Resumption of Operations” with respect to station K33DK, Lucerne Valley, California. Station K33DK ceased broadcasting on January 30, 2008 and you state in your filing that, with Commission approval, the station remained off the air until December 17, 2008, when the station “commenced operations in accordance with its authorization.” On January 29, 2009, you filed the above-captioned application for Special Temporary Authority (STA) for the station to go silent as of January 29, 2009, due to further difficulties with the transmitting equipment requiring the station to go silent while repairs are made. That application was granted on February 2, 2009.

We have received a complaint that the station did not return to the air as represented in your December 15, 2009 submission. As you are aware, Section 312(a) of the Communications Act of 1934, as amended, provides in part that “if a broadcasting station fails to transmit broadcast signals for any consecutive twelve-month period,” the station’s license expires as a matter of law, “notwithstanding any provision, term or condition to the contrary,” and the license is automatically forfeited.¹

As part of our investigation of this matter, we require certain information regarding the construction and operation of this station. This information must be supported by affidavit of the licensee or other officer or employee with personal knowledge thereof. We request that you provide the following information and appropriate documentation within fifteen (15) business days from the date of this letter:

¹ 47 U.S.C. §312(a).

1. Please provide the specific date, time and duration of station K33DK's brief return to the air.

2. Please provide specific information describing the technical operation of your brief return to the air. This information should include a description of the equipment used, your antenna and tower site, the effective radiated power, and HAAT. Please verify that all operations were consistent with your FCC license.

3. Please provide a description of the nature or type, and duration of any programming broadcast by station K33DK during the station's brief return to the air.

4. Please provide the names and title and specific duties of any station personnel involved with the supervision and operation of station K33DK during the station's brief return to the air.

5. Please provide the commission with any correspondence, documents station records, or any other written material verifying station K33DK's brief return to the air.

We direct station K33DK to support its responses with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of the licensee with personal knowledge of the representations provided in the responses, verifying the truth and accuracy of the information therein.

Your responses should be filed within 15 days from the date of this letter. Failure to provide the requested information will result in the denial of any pending requests for authority or relief.

Sincerely,

Hossein Hashemzadeh
Associate Chief, Video Division
Media Bureau

cc: Michelle A. McClure, Esquire