



FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

December 7, 2010

1800E3-A

Confesora Peralta
1549 Townsend Ave. Apt. 6G
Bronx, NY 10452

Re: WHDY-LP, Panama City, FL
File No. BALTVL - 20100901ACY
BLSTA - 20100830AAI
Facility ID No. 130063

Dear Licensee:

This is with regard to the above-captioned applications filed on your behalf for Special Temporary Authority (STA) for station WHDY-LP, Panama City, Florida, to be silent, and the application to assign the license of that station from you to Hispanic Family Christian Network, Inc.

This station has received periodic grants of STA to remain silent since 2007. On July 30, 2009 we granted an application (BLSTA-20090715AIY) for silent authority wherein you reported that the station went silent on June 1, 2009. That silent authority was extended on December 1, 2009.¹ Thereafter, an application for STA for modification of facilities was filed because of the "loss of tower site, and need to get on the air by the one year silence deadline."² On June 1, 2010, you filed a "Resumption of Operations" reporting that the station resumed operations on June 1, 2010. In the above-captioned request for another Silent STA, you report that the station again went silent on August 1, 2010, noting that the licensee had only obtained a temporary site from which to resume operations.

Furthermore, when you acquired this station in 2009, it was obtained from Hispanic Christian Community Network, Inc., and entity apparently related to the proposed assignee herein. Moreover, when you acquired the station authorization, you requested and you received an additional 18-months to complete station construction.³ In

¹ See BLESTA 20091125AEE.

² See BSTA - 20100526AAA.

³ With that action, we extended the construction period for this station pursuant to *Promoting Diversification of Ownership In the Broadcasting Services*, 22 FCC Rcd 915 (2008). Therein the

that time, you assert that a temporary facility was constructed to enable the station to temporarily resume operations on June 1, 2010 for the purpose of avoiding the consequences of Section 312(g) of the Telecommunications Act of 1934, as amended (“Act”). Since then, the station has ceased operating again and, by the instant applications, you propose continued silence and assignment of the station authorization back to essentially the same licensee that failed to previously construct the station.

Section 312(g) of the Act provides in pertinent part that if a broadcasting station fails to transmit broadcast signals for any consecutive 12-month period, then the station license shall expire at the end of that period.⁴ This station was silent for more than the twelve-month period specified by the statute and our rules. Moreover, under the circumstances, there is nothing apparent to suggest an equitable basis for waiver of this statutory provision

Accordingly, the license for analog station WHDY-LP, Panama City, Florida, IS FORFEITED, and the call sign IS HEREBY DELETED. Moreover, having determined that the authorization for analog station WHDY-LP is forfeited, the pending application for assignment of the WHDY-LP authorization to Hispanic Family Christian Network, Inc., IS DISMISSED.

Sincerely,

Hossein Hashemzadeh
Associate Chief, Video Division
Media Bureau

cc: Dan J. Alpert, Esquire

Commission revised Section 73.3598(a) of its rules to afford eligible entities that acquire an expiring construction permit additional time to build out the facility. Specifically, eligible entities that pledge to complete construction are allowed the time remaining on the original construction permit or 18 months from the date of consummation of the assignment or transfer of control, whichever is greater.

⁴ 47 U.S.C. §312(g). See also Section 73.1020(c) of the Commission’s Rules, 47 C.F.R. §73.1020(c).