

**FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D. C. 20554**

December 5, 2011

**IN REPLY REFER TO:  
1800B3-VM**

Dan J. Alpert, Esq.  
The Law Office of Dan J. Alpert  
2120 N. 21<sup>st</sup> Road  
Arlington, VA 22201

**In re: W295AP, Bay Minette, AL**  
Facility ID No. 150909  
Silent since August 21, 2011

Request for Special Temporary  
Authority to Remain Silent

Dear Mr. Alpert:

This letter concerns the request you filed on September 9, 2011, on behalf of Media One Communications, Inc. ("MOC"), for Special Temporary Authority to permit FM Translator Radio Station W295AP to remain silent.

MOC's request states that Station W295AP went silent on August 21, 2011, pending a proposed change of transmitter site. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.<sup>1</sup>

MOC's request is granted. Accordingly, Special Temporary Authority is granted to permit Station W295AP to remain silent not to exceed 180 days from the date of this letter. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station W295AP will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m., August 22, 2012.**<sup>2</sup> See Section 312(g) of the Communications Act, 47 U.S.C. § 312(g).

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<sup>1</sup> In the event extension of special temporary authority is sought, please renew the certification in this matter.

<sup>2</sup> In addition to filing electronically with the Commission on the date operations resume, notification of resumption of broadcast operations must be emailed to [Denise.Williams@FCC.gov](mailto:Denise.Williams@FCC.gov).

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. Finally, we note that 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. *See* 47 C.F.R. §§ 17.6 and 73.1740(a)(4).

Sincerely,



Lisa A. Scanlan  
Assistant Chief, Audio Division  
Media Bureau