

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

December 20, 2011

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

Marcus W. Trathen, Esq.  
Brooks, Pierce, McLendon, Humphrey & Leonard LLP  
PO Box 1800  
Raleigh, NC 27602

**In re: W216BE, Buxton, NC**  
Facility ID No. 89947  
Silent since September 27, 2011

Request for Special Temporary  
Authority to Remain Silent

Dear Mr. Trathen:

This letter concerns the request you filed on September 27, 2011, on behalf of the Board of Trustees, University of North Carolina at Chapel Hill, ("UNC"), for Special Temporary Authority to permit FM Translator Radio Station W216BE to remain silent.

UNC's request states that Station W216BE went silent on September 27, 2011, due to hurricane damage. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.<sup>1</sup>

UNC's request is granted. Accordingly, Special Temporary Authority is granted to permit Station W216BE to remain not to exceed 180 days from the date of this letter. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station W216BE will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m., September 28, 2012.**<sup>2</sup> See Section 312(g) of the Communications Act, 47 U.S.C. § 312(g).

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

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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).