

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

MAY 9 2012

IN REPLY REFER TO:
1800B3-VM

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Dwight Johnson
Post Office Box 1275
Bennettsville, SC 29512

In re: **WBSC(AM), Bennettsville, SC**
Facility ID No. 5214

Operational Status Inquiry

Dear Mr. Johnson:

On November 30, 2011, you filed your license renewal application form, FCC Form 303-S (“Application”). Section III, Item 4 of this form requests that the licensee certify that during the preceding license term, the station has not been silent (or operating for less than its prescribed minimum operating hours) for any period of more than 30 days. You indicated “No” in response to this question, and further stated that Station WBSC(AM) went silent on October 6, 2011, due to lack of funds.¹ Pursuant to Section 73.1740 of the Commission’s Rules (“Rules”), you are required to clarify this matter in writing within thirty days of the date of this letter.

We note that Section 73.1740(a)(4) of the Commission’s Rules permits licensees to discontinue operations for good cause, and for a period not to exceed 30 days without further authority.² Any station silence over thirty days requires the filing of a request for Special Temporary Authority (“STA”) to operate at variance with the Commission’s minimum operating schedule requirements.³ According to our records, you have not filed a request for Special Temporary Authority to remain silent as required by Section 73.1740(a)(4) of the Commission’s Rules.

If Station WBSC(AM) is silent, this status does not suspend the licensee's obligation to comply with all other relevant Commission rules. Additionally, 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.⁴

We also note that if Station WBSC(AM) has been off the air since October 6, 2011, and remains off the air, **the broadcast license for Station WBSC(AM) will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m., on October 7, 2012.**⁵

¹ Application, Exhibit 13.

² See 47 C.F.R. § 73.1740(a)(4) (Minimum operating schedule).

³ See 47 C.F.R. § 73.1635 (Special temporary authorizations) and 47 C.F.R. § 73.1740(a).

⁴ See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).

⁵ See Section 312(g) of the Communications Act, as amended, 47 U.S.C. § 312(g).

If Station WBSC(AM) has resumed operations, please indicate the date that broadcast operations have resumed. If the station is still off the air, please indicate as such and fully describe the necessity for taking the station silent. Failure to respond to this letter within the specified time will result in adverse actions jeopardizing both the station's license and call letters. If you have any questions concerning the content of this letter, please contact Victoria McCauley, Attorney, by phone (202-418-2136), fax (202-418-1411), or e-mail (Victoria.McCauley@fcc.gov).

Sincerely,



Lisa A. Scanlan
Assistant Chief, Audio Division
Media Bureau