

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D. C. 20554

MAY 04 2012

IN REPLY REFER TO:  
1800B3-DW

Kevin M. Fitzgerald  
P.O. Box 20155  
Scranton, PA 18502

In re: **W290BY, Palmerton, PA**  
Facility ID No. 157515  
Silent since April 4, 2012

Request for Special Temporary  
Authority to Remain Silent

Dear Mr. Fitzgerald:

This letter concerns the request you filed on April 4, 2012, for Special Temporary Authority to permit FM Translator Radio Station W290BY to remain silent.

The request states that Station W290BY went silent on April 4, 2012, pending relocation of its transmitter site. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.<sup>1</sup>

The request is granted. Accordingly, Special Temporary Authority is granted to permit Station W290BY 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 W290BY will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m., April 5, 2013.**<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).