



Federal Communications Commission
Washington, D.C. 20554
October 21, 2013

In Reply Refer to:
1800B3

Lee J. Peltzman, Esq.
Shainis & Peltzman, Chartered
Suite 240
1850 M Street, N.W.
Washington, DC, 20554

In Re: KELG(FM), Manor TX
Facility ID No. 17807

KOKE(AM), Pflugerville, TX
Facility ID No. 54661

KTXZ(AM), West Lake Hills, TX
Facility ID No. 59278

Request for Special Temporary
Authorization

Dear Mr. Peltzman:

This letter refers to the August 12, 2013, requests for Special Temporary Authorization ("STA") filed on behalf of Encino Broadcasting, LLC ("Licensee"), licensee of the expired broadcast stations listed above (the "Stations").

Applications for renewal of Texas broadcast station licenses were to be filed by April 1, 2013. On July 30, 2013, the staff wrote to the Licensee, indicating that the Stations' license renewal applications had not been filed and that the Stations' licenses would expire, its operating authority terminated, and its call letters deleted on August 1, 2013, if no renewal applications had been filed.¹ No such applications were filed, and the Stations' licenses expired on August 1, 2013. In response to the *License Expiration Letter*, on August 8, 2013, Licensee filed license renewal applications for each of the Stations,² and on August 12, 2013, Licensee filed separate requests for STA to continue Station operations at licensed parameters pending consideration of the (untimely) renewal applications.³ Finally, on August 28, 2013, Licensee filed petitions for reconsideration of the *License Expiration Letter* for each of the Stations.

¹ Letter to Mr. Jose J. Garcia, Jr. (MB Jul. 30, 2013) (the "License Expiration Letter").

² File No. BR-20130808AIG (DKELG(AM)), BR-20130808AIH (DKOKE(AM)), and BR-20130808AII (DKTXZ(AM)).

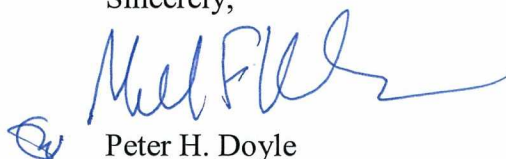
³ See BLSTA-20130812ACC (DKELG(AM)), BLSTA-20130812ACF (DKOKE(AM)), and BLSTA-20130812ACB (DKTXZ(AM)) at Exhibit 38.

In the STA Requests, Licensee acknowledges that it did not timely file the license renewal applications for the Stations, but indicates that Mr. Jose J. Garcia, Jr., the manager and sole owner of the Stations, has suffered through a succession of serious and debilitating illnesses, is being treated by a number of different physicians, and has been hospitalized or been to hospital emergency rooms on a constant basis since 2008. Accordingly, Licensee indicates, Mr. Garcia has not been able to attend fully to his broadcast duties. Licensee indicates that his health is improving and he hopes to assume additional duties, and it argues that silence for even a short period of time "is a veritable death sentence for the Stations."⁴ Licensee therefore requests STA to continue Station operations pending consideration of the renewal applications.

Under Section 309(f) of the Communications Act,⁵ when an appropriate application has been filed, the Commission may grant special temporary authorization if it finds that there are extraordinary circumstances requiring temporary operation is in the public interest and that delay in the institution of such temporary operations would seriously prejudice the public interest. In this case, we believe that the public interest in continuing the Stations' broadcast service to the residents of Manor, Pflugerville, and West Lake Hills, Texas, warrants continued operation of the Stations pending consideration and disposition of the renewal application.

Accordingly, the August 12, 2013, requests for Special Temporary Authorization filed by Encino Broadcasting, LLC ARE GRANTED, and it may continue operation of Stations DKELG(AM), Manor, Texas, DKOKE(AM), Pflugerville, Texas, and KTXZ(FM), West Lake Hills, Texas, with the facilities for which the licenses expired on August 1, 2013. This authorization will expire: (1) 180 days from the date of this letter; or (2) upon action on the pending license renewal applications for these Stations, whichever is earlier.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter H. Doyle", with a small circular mark to the left.

Peter H. Doyle
Chief, Audio Division
Media Bureau

cc: Encino Broadcasting, LLC

⁴ *Id.*

⁵ 47 U.S.C. § 309(f).