

**FEDERAL COMMUNICATIONS COMMISSION**  
**WASHINGTON, D. C. 20554**  
April 3, 2014

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

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Carl Brasher  
4525 Jamaica NE  
Albuquerque, NM 87111

**In re: K288CX, Albuquerque, NM**  
Facility ID No. 8825  
Notification of Cancellation of License  
And Deletion of Call Letters

Dear Mr. Brasher:

On February 21, 2014, we requested written clarification of the operating status of Station K288CX, Albuquerque, New Mexico, which required a reply within thirty days.<sup>1</sup> Our letter stated: "Failure to respond to this letter within the specified time will result in adverse actions jeopardizing both the station's license and call letters." To date, we have not received a reply.

Based on the lack of a response to our status inquiry letter, we will consider Station K288CX to have been silent for more than 12 months. Section 312(g) of the Communications Act,<sup>2</sup> provides that "if a broadcasting station fails to transmit broadcast signals for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary."<sup>3</sup>

Accordingly, the Commission's public and internal databases will be modified to indicate that the station license for referenced station EXPIRED as a matter of law. Additionally, we HEREBY DELETE the station's call sign K288CX and DISMISS the pending application for minor modification of the Station's facilities (BPFT-20130916ACK).

---

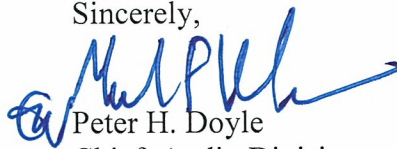
<sup>1</sup> See *Letter to Carl Brasher*, Reference 1800B3-DW (MB February 21, 2014)

<sup>2</sup> 47 U.S.C. § 312(g).

<sup>3</sup> See *Implementation of Section 403(l) of the Telecommunications Act of 1996*, 11 FCC Rcd 16499 (1996); see also 47 C.F.R. § 73.1740(c).

Finally, we note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the station's tower be maintained until the tower is dismantled. Accordingly, the owner of the tower where the referenced station's transmitting antenna is located is required, pursuant to 47 U.S.C. Section 303(q), to maintain the tower in the manner prescribed by our rules and the terms of the cancelled license.<sup>4</sup>

Sincerely,



Peter H. Doyle  
Chief, Audio Division  
Media Bureau

---

<sup>4</sup> See 47 C.F.R. §§ 17.1 *et seq.* and 73.1213. See also, *Streamlining the Commission's Antenna Structure Clearance Procedure*, WT Docket No. 95-5, 11 FCC Rcd 4272 (1995).