



Federal Communications Commission
Washington, D.C. 20554

July 8, 2014

C. Dowen Johnson
Windsong Communications, Inc.
104 Woodmont Drive
Montgomery, TX 77356

Re: DKVVC-LP, Corpus Christi, TX
Facility ID No. 130549
File No. BDFCDTL-20111205AGL

Dear Mr. Johnson:

This is with respect to the request for Special Temporary Authority (“STA”) filed by Windsong Communications, Inc. (“Windsong”), concerning DKVVC-LP, Corpus Christi, TX (the “Station”). For the reasons provided below, the STA filed by Windsong is denied.

The Station was licensed for low power operation on channel 69 and authorized to construct an in-core digital facility to operate on channel 42. In accordance with the Commission’s *Second Report and Order*, all low-power television broadcast stations operating on out-of-core channels (channels 52 through 69) were required to cease their out-of-core operations by December 31, 2011.¹ In adopting this deadline the Commission cautioned out-of-core licensees to be mindful of the automatic cancellation provision in Section 312(g) of the Communications Act of 1934 (the “Act”), 47 U.S.C. § 312(g) when constructing their authorized in-core facilities.²

Our records show that the Station failed to transmit a broadcast signal on its authorized in-core channel for a consecutive 12-month period, beginning December 31, 2011. The Station also failed to construct its authorized in-core facility prior to the expiration of its construction permit on November 29, 2012. The instant STA request seeks permission for the Station to operate on channel 42 while it awaits concurrence from Mexico. Although the Commission routinely grants such STA requests, they must be made in a timely fashion and against a valid construction permit and underlying license. Here, the Station’s digital construction permit expired approximately nine months prior to the filing of the STA request and the Station’s underlying license was canceled pursuant to Section 312(g) of the Act.

Accordingly, the request for Special Temporary Authority filed on February 20, 2013 by Windsong Communications, Inc., for Station DKVVC-LP, Corpus Christi, Texas, IS HEREBY DENIED.

Sincerely,

Hossein Hashemzadeh
Deputy Chief, Video Division
Media Bureau

¹ *Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power, Television Translator and Television Booster Stations and to Amend Rules for Digital Class A Television Stations*, MB Docket No. 03-185, *Second Report and Order*, 26 FCC Rcd 10732, 10743-10749 (2011)(“*Second Report and Order*”).

² *Second Report and Order*, 26 FCC Rcd at 10749.