

FEDERAL COMMUNICATIONS COMMISSION
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July 17, 2014

Lee J. Peltzman, Esq.
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1850 M Street NW, Suite 240
Washington, DC 20036

Re: WVKM (FM), Matewan, West Virginia
Hatfield McCoy Communications, Inc.
Facility Identification Number: 67039
Special Temporary Authority
BLSTA-20140519AAH
BESTA-20140701ACC

Dear Counsel:

This is in reference to the Special Temporary Authority ("STA") requests filed May 19, 2014 and July 1, 2014, on behalf of Hatfield McCoy Communications, Inc. ("HMC").

The May 19, 2014 STA request advises that the station went silent on May 10, 2014 (no longer operating pursuant to STA (BSTA-20110523ACY, as extended) due to transmitter problems. The station presently remains silent. Accordingly, we grant the silent WVKM station request for a period of 180 days. HMC (or any subsequent assignee) is advised that it return WVKM to operating status **no later than May 9, 2015**; failure to do so will cause the station's license to expire as a matter of law upon twelve consecutive months of silence [ending May 9, 2015], notwithstanding the grant of any STA. See Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and Order, *Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). See also Public Notice, Expedited Processing of Applications Filed by Silent Stations, DA 96-818 (May 22, 1996).¹

The July 1, 2014 STA request seeks a sixth extension of the May 25, 2011 STA (BSTA-20110523ACY, as extended). We understand that HMC plans to resume operations under this STA as soon as repairs are completed. Accordingly, the request for extension of STA IS **HEREBY GRANTED** for 180 days. Station WVKM may resume operation with the following facilities:

¹ Please be aware that unauthorized operations – operations with facilities not authorized by a current STA or license – do not count as a resumption of operations within one year for the purposes of Section 312(g) of the Communications Act, and cannot be used to avoid the consequences of Section 312(g). See *A-O Broadcasting Corporation*, FCC 08-10, 23 FCC Rcd 603 (2008).

Geographic coordinates: 37° 42' 17" N, 82° 12' 53" W (NAD 1927)
Channel 294 (106.7 MHz)
Effective radiated power: 1.0 kilowatt (H&V)
Antenna height:
 above ground: 55 meters
 above mean sea level: 636 meters
 Above average terrain: 283 meters
ASRN 1033651

HMC must notify the Commission when this STA operation resumes. HMC must use whatever means are necessary to protect workers and the public from radiofrequency exposure in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

The granted STAs BLSTA-20140519AAH and BESTA-20140701ACC expire on **January 13, 2015**.

Sincerely,



Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Hatfield McCoy Communications, Inc.