

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

NOV 10 2015

In reply refer to: 1800B3-VM

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

In re: **WKTZ-FM, Grafton, WV**
Facility ID No. 64662
Silent since September 17, 2015

Request for Special Temporary
Authority to Remain Silent

Dear Mr. Peltzman:

This letter concerns the request you filed on October 27, 2015, on behalf of Broadcast Communications, Inc. ("BCI"), for Special Temporary Authority ("STA") to permit Station WKTZ-FM to remain silent.

BCI's request states that Station WKTZ-FM went silent on September 17, 2015, pending the proposed modification of its facilities. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.¹

BCI's request is granted. Accordingly, Special Temporary Authority is granted to permit Station WKTZ-FM 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 WKTZ-FM will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., September 18, 2016.**²

BCI is required to notify the Commission when broadcast operations resume. If BCI does not file the notification of resumption of operations in a timely manner, the license may be subject to cancellation pursuant to Section 312(g) of the Communications Act, as amended.³

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. 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.⁴

Finally, Section 73.1740(a)(4) of the Commission's Rules permits licensees to temporarily discontinue operations for good cause, and for a period not to exceed 30 days without further authority. *See* 47 C.F.R. § 73.1740(a)(4). This rule requires that the licensee notify the Commission by letter not later than the 10th day of limited or discontinued operations, and requires a licensee to seek Commission authorization for any period of limited or discontinued operations exceeding 30 days. BCI failed to submit a timely request for an STA to permit Station WKTZ-FM to remain silent beyond October 17,

¹ In the event extension of special temporary authority is sought, please renew the certification in this matter.

² *See* 47 U.S.C. § 312(g).

³ *Id.* In addition to filing a notification of resumption of operations electronically on the date operations resume, notification of resumption must also be emailed to Denise.Williams@FCC.gov.

⁴ *See* 47 C.F.R. §§ 17.6 and 73.1740(a)(4).

2015, and the action taken herein shall not be construed as authorizing the station to remain silent between October 17, 2015, and October 27, 2015.

Sincerely,



Lisa Scanlan
Assistant Chief, Audio Division
Media Bureau