

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

DEC 17 2018

In reply refer to: 1800B3-DW

Lawrence M. Miller, Esq.
Garvey Schubert Barer
1000 Potomac Street, Suite 200
Washington, DC 20007-3501

In re: **W291BY, Albany, NY**
Facility ID No. 139045
Silent since May 14, 2018

Request for Extension of Special Temporary
Authority to Remain Silent

Dear Mr. Miller:

This letter concerns the request you filed on November 2, 2018, on behalf of Empire Broadcasting Corporation (EBC), (now WMHT Educational Telecommunications), for extension of Special Temporary Authority (STA) to permit FM Translator Station W291BY to remain silent.

Commission records reflect that EBC stated that Station W291BY went silent on May 14, 2018, for financial reasons. The previous STA was granted on June 4, 2018, and expired on December 1, 2018. EBC requests extension of its STA for continuing financial reasons. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.

EBC's request is granted. Accordingly, Special Temporary Authority is granted to permit Station W291BY to remain silent until May 14, 2019. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station W291BY will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., May 15, 2019.**¹

EBC is required to notify the Commission when broadcast operations resume. If EBC 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.²

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.³

Sincerely,



Lisa Scanlan
Deputy Chief, Audio Division
Media Bureau

¹ See 47 U.S.C. § 312(g).

² *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.

³ See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).