

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

MAY 2 2019

IN REPLY REFER TO: 1800B3-MAT

Mr. Bryan A. Covey
WHS� LLC
3301 N Bensing RD
Hobbs, NM 88240

In re: WHSL(FM), Lisman, AL
Facility ID No. 82197
Silent since October 30, 2018

Request for Special Temporary
Authority to Remain Silent

Dear Mr. Covey:

This letter concerns the request you filed on April 16, 2019, on behalf of WHSL LLC (WHS�), for Special Temporary Authority (STA) to permit FM Radio Station WHSL to go silent.

WHS�'s request states that Station WHSL(FM) went silent on October 30, 2018, for financial reasons. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.

WHS�'s request is granted. Accordingly, Special Temporary Authority is granted to permit Station WHSL(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 WHSL(FM) will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m., October 31, 2019.¹**

WHS� is required to notify the Commission when broadcast operations resume. If WHSL 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. Finally, we note that 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

Finally, Section 73.1740(a)(4) of the Commission's Rules permits licensee to temporarily discontinue operations for good cause, and for a period not to exceed 30 days without further authority. See 47 CFR § 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 require a licensee to seek Commission authorization for any period of limited or discontinued operations exceeding 30 days. WHSL failed to submit a timely request for an STA to permit Station WHSL(FM) to remain silent beyond November 30,

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 CFR §§ 17.6 and 73.1740(a)(4).

2018, and the action taken herein shall not be construed as authorizing the station to remain silent between November 30, 2018 and March 16, 2019.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa Scanlan".

Lisa Scanlan
Deputy Chief, Audio Division
Media Bureau