



Federal Communications Commission
Washington, D.C. 20554

December 3, 2019

In Reply Refer to: 1800B3-VM

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Torres Media Group, LLC
121 East Third St.
Taylor TX 76574

In re: **KEVG(FM), Sanderson, TX**
Facility ID No. 198804
File Nos. BLSTA-20191104AAJ, BLH-
20190129AAY
Status Inquiry

Dear Licensee:

This letter concerns the status of Station KEVG(FM), Sanderson, Texas (Station), licensed to Torres Media Group, LLC (TMG). Pursuant to Section 73.1015 of the Commission's Rules,¹ you are required to clarify this matter in writing within thirty days of the date of this letter.

Our records show that the Station was granted its initial license on March 7, 2019, with the following condition (Special Operating Condition #4):

Grant of this license application is conditioned on the continuous operation of the licensed facility for the twelve-month period following grant. The failure of the facility to so operate will result in the rescission of this grant, dismissal of the license application and the forfeiture of the associated construction permit pursuant to 47 CFR § 73.3598(c) unless the licensee rebuts the presumption that the authorized facilities were temporarily constructed.²

According to a silent notification filed on March 7, 2019, the Station went silent on March 6, 2019, due to "exciter failure."³ TMG's Exhibit 1 to the the request for Special Temporary Authority to Remain Silent (STA)⁴ filed on November 4, 2019 states: "Will have to replace the exciter due to problems working on finding a replacement IPA and exciter." [sic]

By this letter, we provide notice that the presumption regarding temporary construction has been triggered and provide 30 days for you to rebut the presumption as set out in Special Operating Condition #4. At a minimum, such a rebuttal must include an affidavit or unsworn declaration under penalty of perjury⁵ executed by you stating (i) the date on which the Station's construction was completed, (ii) the names, addresses and telephone numbers of all persons who participated in the Station's construction, (iii) the transmitter site's address and coordinates, and

¹ 47 CFR § 73.1015.

² File No. BLH-20190801ABE.

³ KEVG Silent Notification (filed on Mar. 7, 2019, granted on Mar. 11, 2019).


⁴ File No. BLSTA-20191104AAJ, Exh. 1.

⁵ See 47 CFR § 1.16.

(iv) the transmitter make and model number and supplier, the antenna's make and model number and supplier, and the antenna height above ground level. We also require supporting documentation relating to the construction and operability of the Station's facilities at the time the Station's license was filed, and the time it was granted, including, but not limited to, bills and/or invoices from engineering or other consultants, contractors, equipment suppliers, land or tower lessors, and your employees engaged in Station-specific work, as well as evidence of payment to same. Such evidence may take the form of pay stubs, vendor receipts, tower lease, occupancy certificate, lease payments, invoices, bills, copies of checks written or received, credit card charges, wire transfers or deposits of funds relating to the Station's construction, but it must include proof of electricity hook-up and proof of programming source. TMG must explain the reason for silence and how it relates to the completion of construction and operability of the Station. TMG must also include photographs of the Station's licensed transmission facilities.

Failure to rebut the presumption within the specified time frame will result in the rescission of the grant of the Station's License Application. If you have any questions concerning the content of this letter, please contact Victoria McCauley, Attorney, by phone (202-418-2136), or e-mail (victoria.mccauley@fcc.gov).

Sincerely,


Albert Shuldiner
Chief, Audio Division
Media Bureau

cc: Mr. Bryan A. Covey
3521 N. Bensing Road
Hobbs, NM 88240