

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

August 21, 2020

In reply refer to: 1800B3-DW

Dan J. Alpert, Esq.
2120 North 21st Road
Arlington, VA 22201

In re: **W237BE, Brewton, AL**
Facility ID No. 146196
Silent since September 1, 2019

Request for Extension of Special Temporary
Authority to Remain Silent

Dear Mr. Alpert:

This letter concerns the request you filed on June 24, 2020, on behalf of The David Earl Hoxeng Revocable Trust (DEH), for extension of Special Temporary Authority (STA) to permit FM Translator Station W237BE to remain silent.

Commission records reflect that DEH stated that Station W237BE went silent on September 1, 2019, for technical reasons. The previous STA was granted on October 3, 2019, and expired on March 31, 2020.¹ DEH requests extension of its STA. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.

DEH's request is granted. Accordingly, Special Temporary Authority is granted to permit Station W237BE to remain silent until September 1, 2020. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station W237BE will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., September 2, 2020.**²

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

Finally, 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

Sincerely,



Victoria McCauley
Attorney, Audio Division
Media Bureau

Sent via email to DJA@COMMLAW.TV

¹ We note that DEH failed to submit a timely request for an extension of STA to per Station W237BE to remain silent beyond March 31, 2020. The action taken herein shall not be construed as authorizing the station to remain silent between March 31, 2020 and June 24, 2020.

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 CFR. §§ 17.6 and 73.1740(a)(4).