

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

November 12, 2020

In reply refer to: 1800B3-KC

Ernest T. Sanchez, Esq.
The Sanchez Law Firm PC
1629 K Street, NW, Suite 300
Washington, DC 20006

In re: **KDNM(FM), Reserve, NM**
Facility ID No. 175526
Silent since December 20, 2019

Request for Extension of Special Temporary
Authority to Remain Silent

Dear Mr. Sanchez:

This letter concerns the request you filed on September 23, 2020, on behalf of KUTE, Inc. (KUTE), for extension of Special Temporary Authority (STA) to permit FM Radio Station KDNM to remain silent.

Commission records reflect that KUTE stated that Station KDNM(FM) went silent on December 20, 2019, for technical reasons. The previous STA was granted on January 23, 2020, and expired on July 21, 2020.¹ KUTE requests extension of its STA for continuing technical reasons. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.

KUTE's request is granted. Accordingly, Special Temporary Authority is granted to permit Station KDNM(FM) to remain silent until December 20, 2020. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station KDNM(FM) will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., December 21, 2020.**²

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

Sincerely,



Victoria McCauley
Attorney, Audio Division
Media Bureau

Sent via email only: Ernestsanchez2348@gmail.com

¹ We note that KUTE failed to submit a timely request for an extension of STA to permit Station KDNM(FM) to remain silent beyond July 21, 2020. The action taken herein shall not be construed as authorizing the station to remain silent between July 21, 2020, and September 23, 2020. KUTE's request for *nunc pro tunc* treatment is denied.

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).