

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D. C. 20554

AUG 14 2013

IN REPLY REFER TO:  
1800B3-FMH

Cary S. Tepper, Esq.  
Booth, Freret, Imlay & Tepper, P.C.  
7900 Wisconsin Avenue, Suite 304  
Bethesda, Maryland 20814-3628

In re: W238BL, Wildwood, NJ  
Facility ID No. 151209  
Silent since June 19, 2013

Request for Special Temporary  
Authority to Remain Silent

Dear Mr. Tepper:

This letter concerns the request you filed on June 20, 2013, on behalf of Priority Radio, Inc. ("PR"), for Special Temporary Authority to permit FM Translator Radio Station W238BL to remain silent.

PR's request states that Station W238BL went silent on June 19, 2013, pending a proposed modification of its facilities. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.<sup>1</sup>

PR's request is granted. Accordingly, Special Temporary Authority is granted to permit Station W238BL 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 W238BL will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m., June 20, 2014.**<sup>2</sup> See Section 312(g) of the Communications Act, 47 U.S.C. § 312(g).

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

Sincerely,  


Lisa Scanlan  
Assistant Chief, Audio Division  
Media Bureau

<sup>1</sup> In the event extension of special temporary authority is sought, please renew the certification in this matter.

<sup>2</sup> In addition to filing electronically with the Commission on the date operations resume, notification of resumption of broadcast operations must be emailed to [Denise.Williams@FCC.gov](mailto:Denise.Williams@FCC.gov).