



**Federal Communications Commission  
Washington, D.C. 20554**

September 18, 2018

*In Reply Refer to: 1800B3-KV*

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**In re: K287BQ, Houston, TX**  
File No. BLFT-20170426ACI  
Facility ID No. 148244

**Emergency Request for Permission to  
Resume Operations**

Dear Counsel:

This letter refers to the “Emergency Request for Permission to Resume Operations” (Request) filed on September 14, 2018, by Centro Cristiano De Vida Eterna licensee, (Centro or Licensee), of FM Translator Station K287BQ (K287BQ or Station).<sup>1</sup> For the reasons set forth below, we will treat the Request as an informal request for Commission action pursuant to Section 1.41<sup>2</sup> and deny it.

**Background.** On September 13, 2018, the Bureau ordered the Station to cease operations due to unresolved interference caused to certain listeners of Station KTWL(FM), Todd Mission, Texas, licensed to Roy E. Henderson (Henderson).<sup>3</sup> On September 14, 2018, Centro filed the Request seeking “immediate” resumption of the Station’s operations for 45 days to afford it an opportunity to address the unresolved listener complaints.

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<sup>1</sup> On September 14, 2018, counsel for Centro emailed Media Bureau (Bureau) personnel a copy of the Request stating that it had been filed.

<sup>2</sup> 47 CFR § 1.41.

<sup>3</sup> See *Letter to Centro Cristiano De Vida Eterna from James D. Bradshaw, Senior Deputy Chief, Audio Division, Media Bureau*, reference 1800B3-KV (dated Sep. 13, 2018) (*Letter Decision*).

**Discussion.** Under Section 1.41 of the Commission's rules (Rules) a party may request action informally “[e]xcept where formal procedures are required . . .”<sup>4</sup> Section 1.41’s underlying purpose is to provide “an avenue of recourse to parties who might otherwise have none.”<sup>5</sup> The Commission has further noted that while formal procedures are not an absolute preclusion to consideration under Section 1.41 in every case, “Section 1.41 is not a vehicle to evade the procedural requirements of 47 CFR § 1.106.”<sup>6</sup>

Upon review of Centro’s submission, we do not believe that Centro has stated an adequate need for immediate Commission action, and we will deny the Request. We also reiterate the holding in the *Letter Decision* that the Station must be and remain off the air until all interference complaints have been resolved.

**Conclusion.** Accordingly, IT IS ORDERED that, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.41 of the Commission's Rules, 47 CFR § 1.41, the Emergency Request for Permission to Resume Operations filed by Centro Cristiano De Vida Eterna on September 14, 2018, IS DENIED.

Sincerely,



Albert Shuldiner  
Chief, Audio Division  
Media Bureau

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<sup>4</sup> 47 CFR § 1.41.

<sup>5</sup>See *Warren C. Havens*, Memorandum Opinion and Order, 28 FCC Rcd 16261, 16267 para. 18 (2013).

<sup>6</sup> *Id.*