

**FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D. C. 20554**

**IN REPLY REFER TO:  
1800B3-KLJ**

December 9, 2010

Douglas M. Sutton, Jr.  
Tugart Properties, LLC  
P.O. Drawer E  
Toccoa, GA 30577

**In re: W225BH, Carnesville, GA**  
Facility ID No. 138393  
Silent Since February 25, 2010

Request For Extension of Special Temporary  
Authority To Remain Silent

Dear Mr. Sutton:

This letter concerns the request, filed on October 20, 2010, on behalf of Tugart Properties, LLC ("Tugart"), for Special Temporary Authority to permit FM Translator Station W225BH to remain silent.

Commission records reflect that W225BH went silent on February 25, 2010, due to the proposed relocation of its transmitter site. On March 15, 2010, Tugart requested a STA for the station to remain silent until a grant of the application to relocate the transmitter site is granted. The STA was granted April 13, 2010, and expired October 10, 2010. Tugart's current request states that additional time is needed to await action on an application to change frequencies. Accordingly, Tugart requests that the STA be extended. Tugart's request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.

Tugart's request will be granted. Accordingly, Special Temporary Authority is granted to permit Station W225BH to remain silent until February 25, 2011. **Notwithstanding the grant of this special temporary authority, the broadcast license for W225BH will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m., February 26, 2011.**<sup>1</sup> See Section 312(g) of the Communications Act, 47 U.S.C. Section 312(g).

---

<sup>1</sup> Notification of resumption of broadcast operations must either be electronically filed or mailed to:

Federal Communications Commission  
Attn: 1800B3-DW, Room E-B450  
445 12<sup>th</sup> Street, S.W.  
Washington, D. C. 20554

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 towers shall be maintained. See 47 C.F.R. Sections 17.6 and 73.1740(a)(4).

Finally, the Commission's Rules, 47 C.F.R. Section 73.1740(a)(4), permit licensees to discontinue operations for good cause and for a period not to exceed 30 days without further authority, provided that the licensee notify Commission by letter "not later than the 10<sup>th</sup> day of limited or discontinued operations" and if operations are not able to commence by that time, "informal written request shall be made to the FCC no later than the 30<sup>th</sup> day for such additional time as may be deemed necessary. Tugart failed to timely submit a request to extend the STA to permit W225BH to remain silent beyond October 10, 2010, and the action taken herein shall not be construed as authorizing the station to remain silent between October 10, 2010, and October 20, 2010.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Taft Snowdon". The signature is written in a cursive, somewhat stylized script.

H. Taft Snowdon  
Supervisory Attorney  
Audio Division  
Media Bureau

cc: Dan J. Alpert, Esq.