

**FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554**

**JUN 06 2017**

*In reply refer to: 1800B3-DW*

Mr. Scott Johnson, Esq.  
Fletcher, Heald & Hildreth, P.L.C.  
1300 North 17th Street, 11th Floor  
Arlington, VA 22209

In re: **K239CB, Tyler, TX**  
Facility ID No. 156967  
Silent since May 5, 2017  
  
Request for Special Temporary  
Authority to Remain Silent

Dear Mr. Johnson:

This letter concerns the request you filed on May 11, 2017, on behalf of ATW Creative Services, Inc. (ACS), for Special Temporary Authority (STA) to permit FM Translator Station K239CB to remain silent.

ACS's request states that Station K239CB went silent on May 5, 2017, for technical reasons. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.<sup>1</sup>

ACS's request is granted. Accordingly, Special Temporary Authority is granted to permit Station K239CB 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 K239CB will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., May 6, 2018.**<sup>2</sup>

ACS is required to notify the Commission when broadcast operations resume. If ACS 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.<sup>3</sup>

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.<sup>4</sup>

Sincerely,



Lisa Scanlan  
Deputy Chief, Audio Division  
Media Bureau

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

<sup>2</sup> See 47 U.S.C. § 312(g).

<sup>3</sup> *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.

<sup>4</sup> See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).