



Federal Communications Commission
Washington, D.C. 20554

July 7, 2022

In Reply Refer to:
1800B3-VM

Certified Mail Return Receipt Requested

Cameron County Texas
1100 East Monroe
Brownsville, TX 78520
etrevino@co.cameron.tx.us

In re: **KCCP-LP, South Padre Island, TX**
Facility ID No. 135175
Renewal Application File No.
0000144275

Letter of Inquiry

Dear Licensee:

Our records indicate that LPFM Station KCCP-LP, South Padre Island, Texas, licensed to Cameron County Texas (CCT), went silent on or about October 30, 2019 and has been silent since that time. This determination is based on the application for license renewal referenced above. Therefore, pursuant to section 312(g) of the Communications Act of 1934, as amended (Act),¹ the station's license expired as a matter of law at 12:01 a.m., October 31, 2020.²

This letter provides you 45 days to provide evidence that CCT was unable to return KCCP-LP to the air within 12 months due to circumstances beyond its control and that its license should be extended to promote equity and fairness under section 312(g).³ CCT must explain in detail all factors that caused the station to cease operation, all factors that resulted in the removal of the station's equipment from the transmitter site, and whether, and when, the station can resume operation at the authorized transmitter site or at another site (upon prior Commission approval). As part of that explanation, please describe in detail the extent to which any of the relevant factors for the station's silence were beyond CCT's control. In addition to the narrative

¹ See 47 U.S.C. § 312(g); *Eagle Broad. Group, Ltd. v. FCC*, 563 F.3d 543 (D.C. Cir. 2009); *A-O Broad. Corp.*, Memorandum Opinion and Order, 23 FCC Rcd 603 (2008).

² Section 312(g) of the Act provides that if a broadcast station fails to transmit broadcast signals with its authorized facilities for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary, except that the Commission may extend or reinstate such station license to promote equity and fairness. See, e.g., *V.I. Stereo Communications Corp.*, Memorandum Opinion and Order, 21 FCC Rcd 14259 (2006) (concluding that reinstatement was warranted where the station's tower had been destroyed by a hurricane and, after it was rebuilt, again sustained substantial damage from three more hurricanes); *Kingdom of God*, Order on Reconsideration, 29 FCC Rcd 11589, 11591 (2014) ("While the Commission has exercised its discretion under Section 312(g) to reinstate a license out of equity and fairness in only a few cases – each of which involved silence for compelling reasons beyond the licensee's control – the Commission has declined to reinstate licenses where failure to transmit a broadcast signal was due to the licensee's own actions, finances, and/or business judgments.").

³ 47 U.S.C. § 312(g).

statement, CCT must submit copies of all leases, engineering records, bills, and other station records (including emails, letters and other documents in the possession of CCT relating to KCCP-LP or its equipment). This showing should be accompanied by a cover letter signed by Juan Gonzalez in his capacity as CCT's Chief Legal Counsel or by Pete Sepulveda, Jr. in his capacity as County Administrator, and affirming that the response is complete to the best of his knowledge. If CCT fails to provide such evidence and information within 45 days from the date of this letter, the referenced license renewal application WILL BE DISMISSED OR DENIED, and the Commission's public and internal databases WILL BE MODIFIED to indicate that the broadcast license for the Station is EXPIRED, that the Station's license is CANCELED, and that the Station's call sign is DELETED.

The response to this letter shall be addressed to FCC, Office of the Secretary, 45 L Street, NE, Washington, DC 20554, and sent **BY EMAIL** to Victoria McCauley at the address below.

Please direct any questions concerning the content of this letter to Victoria McCauley, Attorney, phone (202-418-2136), or e-mail (Victoria.McCauley@fcc.gov).

Sincerely,

Albert Shuldiner

Albert Shuldiner
Chief, Audio Division
Media Bureau