



Federal Communications Commission
Washington, D.C. 20554

July 15, 2022

In Reply Refer to: 1800B3-ATS

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. Michael Sims
Grinnell College Trustees of Iowa
1115 8th Ave
Grinnell, IA 50112
Sent via email: sims@grinnell.edu; kdicfm@grinnell.edu

In re: Grinnell College Trustees of Iowa
KDIC(FM), Grinnell, IA
Facility ID No. 25391
File No. 0000123671

Notification of License Cancellation

Dear Licensee:

This letter is to inform you that the license of Station KDIC(FM), Grinnell, Iowa (Station), licensed to Grinnell College Trustees of Iowa (Licensee), has expired pursuant to section 312(g) of the Communications Act of 1934, as amended (Act).¹

On April 12, 2022, we sent you a letter stating that our records indicated that the Station had been off the air since at least August 31, 2020.² Licensee was required to clarify this matter in writing within forty-five days of the date of the Letter. To date we have received no response.³

¹ 47 U.S.C. § 312(g). "If a broadcasting station fails to transmit broadcast signals 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 if the holder of the station license prevails in an administrative or judicial appeal, the applicable law changes, or for any other reason to promote equity and fairness." *See also Kingdom of God, Inc.*, Memorandum Opinion and Order, 32 FCC Rcd 3654 (2017), *aff'd*, *Kingdom of God, Inc. v. FCC*, No. 17-1132, 719 Fed. Appx. 19 (Mem), (D.C. Cir. Apr. 10, 2018); *Eagle Broad. Group, Ltd.*, Memorandum Opinion and Order, 23 FCC Rcd 588, 592, para. 9 (2008), *aff'd sub nom. Eagle Broad. Group, Ltd. v. FCC*, 563 F.3d 543, 553 (D.C. Cir. 2009) (unauthorized, unlicensed broadcasts cannot constitute transmission of broadcast signals to avoid termination under section 312(g)).

² *See Letter from Albert Shuldiner, Chief, Audio Division, Media Bureau, FCC, to Grinnell College Trustees of Iowa* (sent by certified mail, return receipt requested, April 12, 2022) (Letter). *See also* BLSTA-20200930AFG (indicating Station went silent on August 31, 2020); Application File No. 0000123671 at AM/FM/LPFM Certification, Silent Station (indicating Station was currently silent) (filed Oct. 1, 2020). Before sending the Letter, the staff sent several emails to Licensee concerning its renewal application but did not receive a response. *See* Email from Alexander Sanjenis, Audio Division, FCC Media Bureau to Michael Sims (Dec. 3, 2021, 3:52 PM EST); Email from Alexander Sanjenis, Audio Division, FCC Media Bureau to Nancy Guinane (Feb. 16, 2021, 11:23 AM EST); Email from Alexander Sanjenis, Audio Division, FCC Media Bureau to Michael Sims and Nancy Guinane (Feb. 23, 2022, 2:56 PM EST).

³ 47 CFR § 73.3568(a) ("... failure to respond to official correspondence or request for additional information, will be cause for dismissal.").

Therefore, the Commission's public and internal databases HAVE BEEN MODIFIED to indicate that the broadcast license for the referenced station is EXPIRED, that the station's license is CANCELLED as a matter of law, and that the station's call sign is DELETED. The license renewal application for the Station, File No. 0000123671, is also DISMISSED.

Finally, we note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the station's tower be maintained until the tower is dismantled. Accordingly, the owner of the tower where the referenced station's transmitting antenna is located is required to maintain the tower in the manner prescribed by our rules and the terms of the cancelled license.⁴

Sincerely,

Albert Shuldiner
Chief, Audio Division
Media Bureau

cc (via electronic mail):

Nancy Guinane (guinanen@grinnell.edu)

⁴ See 47 U.S.C. §303(q); 47 CFR §§17.1 *et seq.* and 73.1213. See also *Streamlining the Commission's Antenna Structure Clearance Procedure*, Report and Order, 11 FCC Rcd 4272, 4293 (1995) (tower owner bears primary responsibility for maintaining tower painting and/or lighting).