



Federal Communications Commission
Washington, D.C. 20554

July 21, 2023

Sent via electronic mail

In reply refer to: 1800B3-KC

Barry S. Persh, Esq.
Gray Miller Persh LLP
2233 Wisconsin Avenue, NW
Suite 226
Washington, DC 20007
bpersh@graymillerpersh.com

RE: **K209FS, Columbus, NE**
Facility ID No. 47960
Silent since July 6, 2023
Request for Special
Temporary Authority to Remain Silent

Dear Mr. Persh:

This letter concerns the request you filed on July 13, 2023, on behalf of Nebraska Educational Telecommunications Commission (NETC), for Special Temporary Authority (STA) to permit FM Translator Station K209FS to remain silent.

NETC's request states that Station K209FS went silent on July 6, 2023, for technical reasons.

NETC's request is granted. Accordingly, Special Temporary Authority is granted to permit Station K209FS 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 K209FS will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., July 7, 2024.**¹

NETC is required to notify the Commission when broadcast operations resume.² If NETC 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.³

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

¹ See 47 U.S.C. § 312(g). The date set in this letter for the license expiration supersedes any notice generated from the FCC Licensing and Management System (LMS).

² In addition, periods of operation pursuant to this STA shall be recorded in the station's records (see 47 CFR §§ 73.1820 (AM/FM/TV), 73.877 (LPFM) and/or 74.1281 (FM translator)). The records shall include start/stop dates and times of such operation. These log entries must be maintained for a minimum of two years as specified in 47 CFR § 73.1840(a), unless a longer retention period is requested by the staff. Periods of operation may be subject to independent verification that they in fact occurred.

³ *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.

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.⁴

Sincerely,



Victoria McCauley
Attorney, Audio Division
Media Bureau

⁴ See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).