

**From:** [Chris Imlay](#)  
**To:** [Evan Morris](#)  
**Cc:** [Hossein Hashemzadeh \(CTR\)](#); [Shaun Maher](#); [Barbara Kreisman](#); [Mark Colombo](#); [Kevin Harding](#); [jb12](#); [gerald benavides](#); [darryl delawder](#)  
**Subject:** Re: [EXTERNAL]: KBFW-LP, Facility ID # 127887, Arlington, Texas  
**Date:** Wednesday, September 1, 2021 12:24:32 PM

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Understand, Evan thank you. Darryl Delawder, Mr. Benavides' consulting engineer and I are working on the license to cover the CP right now. We will have it filed shortly, well within the allotted two weeks. We will then proceed as per our prior discussion when the ATSC 3.0 equipment is delivered, and we will file the silent STA application once the license to cover is filed.

Thank you all for the great help with this.  
Kind regards, Chris



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On Wed, Sep 1, 2021 at 12:08 PM Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)> wrote:

Chris,

We have treated your applications as waivers of the expiration date and granted them and reinstated the construction permit for KBFW-LP.

Please file license to cover your construction permit (BDFCDVL-20090211AAF). If there are any problems filing in LMS, please let us know.

We will provide the permittee two weeks to file this license to cover. Failure to file by September 15, 2021 will result in cancellation of the permit and deletion of the station's facility.

After filing of the license to cover application you will need to file a request for silent authority. In addition, prior to commencing operations in ATSC 3.0, you must file a modification of license application and engineering STA to commence operations of an analog FM audio carrier as an ancillary or supplementary service. If you have any questions on these subsequent filings that are needed please let us know.

Please confirm receipt of this e-mail.

All the best,

Evan

Evan S. Morris, Esq.

Legal Advisor

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Federal Communications Commission

45 L Street, NE

Washington, D.C. 20554

O: (202) 418-1656

E: [Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)

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**From:** Chris Imlay <[chris@imlaylaw.com](mailto:chris@imlaylaw.com)>

**Sent:** Wednesday, August 25, 2021 5:24 PM

**To:** Hossein Hashemzadeh (CTR) <[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)>

**Cc:** Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)>; jb12 <[jb12@sbcglobal.net](mailto:jb12@sbcglobal.net)>; gerald benavides <[jerben12@gmail.com](mailto:jerben12@gmail.com)>

**Subject:** Re: [EXTERNAL]: KBFW-LP, Facility ID # 127887, Arlington, Texas

Hossein the Silent STA application is all paid for, thanks to you for the great help.

I can send copies of the as-filed applications if you wish. The file number of the CP Extension is 0000157931 and the file number of the silent STA application is 0000157940.

Kind regards to all and a good evening.

Chris

On Wed, Aug 25, 2021 at 3:14 PM Hossein Hashemzadeh (CTR)

<[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)> wrote:

If you encounter using LMS to pay the filing fee, use FEEFILER to pay the fee.

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**From:** Chris Imlay <[chris@imlaylaw.com](mailto:chris@imlaylaw.com)>

**Sent:** Wednesday, August 25, 2021 3:11 PM

**To:** Hossein Hashemzadeh (CTR) <[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)>

**Cc:** Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)>; jb12 <[jb12@sbcglobal.net](mailto:jb12@sbcglobal.net)>; gerald benavides <[jerben12@gmail.com](mailto:jerben12@gmail.com)>

**Subject:** Re: [EXTERNAL]: KBFW-LP, Facility ID # 127887, Arlington, Texas

Hossein it worked fine thanks again. I got dumped out twice trying to pay the STA application fee, but the app is filed. Worked great, thanks a lot. I will pay the fee later today.

Best, chris

On Wed, Aug 25, 2021 at 2:27 PM Hossein Hashemzadeh (CTR)

<[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)> wrote:

Try it now and let me know as soon as you file it.

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**From:** Chris Imlay <[chris@imlaylaw.com](mailto:chris@imlaylaw.com)>

**Sent:** Wednesday, August 25, 2021 2:16 PM

**To:** Hossein Hashemzadeh (CTR) <[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)>

**Cc:** Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)>; jb12 <[jb12@sbcglobal.net](mailto:jb12@sbcglobal.net)>; gerald benavides <[jerben12@gmail.com](mailto:jerben12@gmail.com)>

**Subject:** Re: [EXTERNAL]: KBFW-LP, Facility ID # 127887, Arlington, Texas

Hossein I think I have the same problem with the Silent STA application. There seems to be no way to file anything with respect to the main facility in LMS because the license is still shown as deleted. Should I wait to file the silent STA until the license is reinstated? If I click on the facility listing for KBFW-LP there is no chance to file any application at all.

I am sorry to be such a pain....

Best, Chris

On Wed, Aug 25, 2021 at 1:56 PM Hossein Hashemzadeh (CTR)  
<[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)> wrote:

Go ahead and try now.

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**From:** Chris Imlay <[chris@imlaylaw.com](mailto:chris@imlaylaw.com)>  
**Sent:** Wednesday, August 25, 2021 1:53 PM  
**To:** Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)>  
**Cc:** Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>; jb12 <[jb12@sbcglobal.net](mailto:jb12@sbcglobal.net)>; gerald benavides <[jerben12@gmail.com](mailto:jerben12@gmail.com)>; Mark Colombo <[Mark.Colombo@fcc.gov](mailto:Mark.Colombo@fcc.gov)>; Kevin Harding <[Kevin.Harding@fcc.gov](mailto:Kevin.Harding@fcc.gov)>; Hossein Hashemzadeh (CTR) <[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)>; Mohan Simon <[Mohan.Simon@fcc.gov](mailto:Mohan.Simon@fcc.gov)>  
**Subject:** Re: [EXTERNAL]: KBFW-LP, Facility ID # 127887, Arlington, Texas

Evan, I have completed the application for extension of the digital flash cut CP in the LMS but I get an error message saying that I can't file it because the station license has been cancelled. It is ready to go otherwise. I have modified the pleading per our discussion and attached the modified version and that uploaded fine.

I have not tried to file the silent STA yet.

Best, Chris

On Wed, Aug 25, 2021 at 1:21 PM Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)> wrote:

Chris,

You are good to file! If you have any problems filing the Silent STA or CP extension let us know.

Evan

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**From:** Evan Morris  
**Sent:** Monday, August 23, 2021 12:25 PM  
**To:** Chris Imlay <[chris@imlaylaw.com](mailto:chris@imlaylaw.com)>  
**Cc:** Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>; jb12 <[jb12@sbcglobal.net](mailto:jb12@sbcglobal.net)>; gerald benavides <[jerben12@gmail.com](mailto:jerben12@gmail.com)>; Mark Colombo <[Mark.Colombo@fcc.gov](mailto:Mark.Colombo@fcc.gov)>; Kevin Harding <[Kevin.Harding@fcc.gov](mailto:Kevin.Harding@fcc.gov)>; Hossein Hashemzadeh (CTR) <[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)>; Mohan Simon <[Mohan.Simon@fcc.gov](mailto:Mohan.Simon@fcc.gov)>  
**Subject:** RE: [EXTERNAL]: KBFW-LP, Facility ID # 127887, Arlington, Texas

Thanks Chris. I will send out a scheduler with a dial-in. At this point please way to file anything in LMS until we talk. Thanks!

Evan

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**From:** Chris Imlay <[chris@imlaylaw.com](mailto:chris@imlaylaw.com)>  
**Sent:** Monday, August 23, 2021 10:45 AM  
**To:** Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)>  
**Cc:** Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>; jb12 <[jb12@sbcglobal.net](mailto:jb12@sbcglobal.net)>; gerald benavides <[jerben12@gmail.com](mailto:jerben12@gmail.com)>; Mark Colombo <[Mark.Colombo@fcc.gov](mailto:Mark.Colombo@fcc.gov)>; Kevin Harding <[Kevin.Harding@fcc.gov](mailto:Kevin.Harding@fcc.gov)>; Hossein Hashemzadeh (CTR) <[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)>; Mohan Simon <[Mohan.Simon@fcc.gov](mailto:Mohan.Simon@fcc.gov)>  
**Subject:** Re: [EXTERNAL]: KBFW-LP, Facility ID # 127887, Arlington, Texas

Evan, thanks very much for the quick response and the helpful offer of a telcon about what we will have to do. At this point, Wednesday at 1:00 EDT would be optimum for us. Thanks for the help.

I should note in advance however, that I have had difficulties in the past uploading pleadings in the LMS, though I have no problem filing applications in LMS. I have worked with the help desk to address the problem, to little avail. I will keep at it, however.

Kind regards, Chris

On Fri, Aug 20, 2021 at 10:56 AM Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)> wrote:

Chris,

We have received your requests. Unfortunately we will need this to be filed in LMS, not CDBS. Before you file anything in LMS though we were hoping to talk with you and your client on the phone to discuss exactly what must be filed and also discuss moving forward what will be needed with regards to your ATSC 3.0 operations. Please let us know what time in these ranges would work:

Monday, 8/23- 10am to 1pm

Tuesday, 8/24- 11:30am to 4pm

Wednesday, 8/25- 10am to 4pm

Evan

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**From:** Chris Imlay <[chris@imlaylaw.com](mailto:chris@imlaylaw.com)>  
**Sent:** Wednesday, August 18, 2021 3:28 PM  
**To:** Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>  
**Cc:** jb12 <[jb12@sbcglobal.net](mailto:jb12@sbcglobal.net)>; gerald benavides <[jerben12@gmail.com](mailto:jerben12@gmail.com)>; Evan Morris <[Evan.Morris@fcc.gov](mailto:Evan.Morris@fcc.gov)>; Mark Colombo <[Mark.Colombo@fcc.gov](mailto:Mark.Colombo@fcc.gov)>; Kevin Harding <[Kevin.Harding@fcc.gov](mailto:Kevin.Harding@fcc.gov)>; Hossein Hashemzadeh (CTR) <[Hossein.Hashemzadeh.CTR@fcc.gov](mailto:Hossein.Hashemzadeh.CTR@fcc.gov)>; Mohan Simon <[Mohan.Simon@fcc.gov](mailto:Mohan.Simon@fcc.gov)>  
**Subject:** Re: [EXTERNAL]: KBFW-LP, Facility ID # 127887, Arlington, Texas

Further to my last message, I have now filed the Request via the CDBS. Attached are confirmations of filing and the CDBS Cover Sheet, as well as another as-filed copy

of the Request.

Thank you.

Kind regards, Chris

On Wed, Aug 18, 2021 at 3:07 PM Chris Imlay <[chris@imlaylaw.com](mailto:chris@imlaylaw.com)> wrote:

Greetings again, Shaun. Attached is a copy of a "Request for Reinstatement of License, Reinstatement of Digital Flash Cut Construction Permit, and Extension of Construction Deadline for Digital Flash Cut LPTV Facility" relative to KBFW-LP. I am going to try to file this via the LMS of CDBS (given the file numbers) right now, but failing that I will submit it by Mail today.

Should any question arise concerning this Request, kindly notify the undersigned.

Regards, Chris

On Tue, Aug 17, 2021 at 11:31 AM Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)> wrote:

Chris – this was an analog LPTV station with a CP to flash cut to channel 6. The deadline to complete construction of the flash cut facility was 7/13/21. Because no license to cover was filed indicating that the station completed construction of its flash cut facility by the 7/13/21 deadline, nor was any extension application filed by the 3/15/21 deadline, the station's license was cancelled and its flash cut CP cancelled as well. See the attached PN that we released prior to the 7/13/21 deadline reminding stations of the deadline and what would happen if construction was not completed.

As for the experimental STA referred to below, shortly after it was filed, Mark Colombo of the Video Division phoned the engineer and advised him that it would not be granted and should be withdrawn. The engineer was advised that, if the station wanted to operate as an ATSC 3.0 FM6 station, it first needed to convert to digital ATSC 3.0 and then file an engineering STA requesting the ATSC 3.0/FM6 operation. No action followed.

You may file a late extension application and request reinstatement of the station's license and CP, however, I can not guarantee that it will be successful at this late date.

I presume the station terminated analog operations by the 7/13/21 analog termination deadline and is not still operating. If that is not the case, it must cease and desist analog operations immediately.

Shaun Maher

202-418-2324

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**From:** Chris Imlay <[chris@imlaylaw.com](mailto:chris@imlaylaw.com)>  
**Sent:** Tuesday, August 17, 2021 11:02 AM  
**To:** Shaun Maher <[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)>  
**Cc:** jb12 <[jb12@sbcglobal.net](mailto:jb12@sbcglobal.net)>; gerald benavides <[jerben12@gmail.com](mailto:jerben12@gmail.com)>

**Subject:** [EXTERNAL]: KBFW-LP, Facility ID # 127887, Arlington, Texas

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Greetings, Shaun, I hope you are well. I represent Gerald Benavides, licensee of the above LPTV station on Channel 6.

On June 23, 2021, I filed for this LPTV station an STA application asking to continue ongoing FM analog ancillary services, pending resolution of the outstanding proceeding involving such FM service for Channel 6 stations. Copies of the application, the confirmation of filing it, and the confirmation of the fee payment are attached. I have not to date seen any resolution of this and the application does not show up in the LMS as far as I can tell.

However, while on vacation last week, there appeared in the Daily Digest on August 11, 2021 (Report No. PN-2-201811-01 at page 7) a notice that the digital flash cut construction permit for this facility (BDFCDVL-20090211AAF) had been cancelled on August 9, and the license for this facility (BLTVL-20080811AAM) was shown as cancelled as of the same date (Report No. PN-2-201811-01, at page 25). Neither I nor my client has received any explanation for this, and I was wondering if a letter or other explanatory document was generated under the circumstances. The CDBS shows the following with respect to this facility as of yesterday:

## Application Search Details

<b>File Number:</b>	BDFCDVL-20090211AAF
<b>Call Sign:</b>	DKBFW-LP
<b>Facility Id:</b>	127887
<b>FRN:</b>	0003781341
<b>Applicant Name:</b>	GERALD BENAVIDES
<b>Frequency:</b>	
<b>Channel:</b>	6
<b>Community of License:</b>	ARLINGTON, TX
<b>Application Type:</b>	DIGITAL FLASH CUT
<b>Status:</b>	PERMIT CANCELLED
<b>Status Date:</b>	08/09/2021
<b>Expiration Date:</b>	
<b>Tolling Code:</b>	
<b>Application Service:</b>	LD
<b>Disposed Date:</b>	08/09/2021
<b>Accepted Date:</b>	
<b>Last Public Notice:</b>	

**Last Report Number:**

**Authorization** [Authorization not available](#)

**Engineering Data** [View Engineering Data](#)

**Legal Actions** [View Legal Actions](#)

**PN Comment** [Public Notice Comment](#)

**Correspondence Folder** [View Correspondence Folder](#)

There is nothing in the correspondence file that would explain this recent action.

Could I ask what the status of the STA application is, and what the reason was for the license cancellation? Will we receive a letter on the subject, or did we miss one somehow?

Thanks for your help.

Kind regards, Chris Imlay

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Christopher D. Imlay  
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