



Federal Communications Commission
Washington, D.C. 20554

November 9, 2023

Sent via electronic mail

In reply refer to: 1800B3-KC

Brad C. Deutsch, Esq.
Foster Garvey PC
1000 Potomac Street, N.W.
Suite 200
Washington, DC 20007
brad.deutsch@foster.com

RE: **W298CH, Rochester, NY**
Facility ID No. 138910
Silent since October 21, 2023
Request for Special
Temporary Authority to Remain Silent

Dear Mr. Deutsch:

This letter concerns the request you filed on October 30, 2023, on behalf of WXXI Public Broadcasting Council (WXXI), for Special Temporary Authority (STA) to permit FM Translator Station W298CH to remain silent.

WXXI's request states that Station W298CH went silent on October 21, 2023, pending the proposed modification to its facilities.

WXXI's request is granted. Accordingly, Special Temporary Authority is granted to permit Station W298CH 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 W298CH will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., October 22, 2024.**¹

WXXI is required to notify the Commission when broadcast operations resume.² If WXXI 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).