

From: [Shaun Maher](#)
To: [Dr. Vincent Castelli](#)
Cc: [Susan Hansen](#); [Mark Colombo](#); dja@commlaw.tv
Subject: RE: K35PH-D
Date: Monday, December 11, 2023 3:14:00 PM

We have accepted your petition for reconsideration for K35PH, College Station, Texas, and have reactivated the station's files on LMS and its CP. **The station must now file a license to cover the CP within 10 days.** Upon receipt of the license, we will evaluate whether a forfeiture is in order in this case.

If you have any questions, please contact me.

Shaun Maher

From: dja commlaw.tv <dja@commlaw.tv>
Sent: Thursday, October 12, 2023 2:10 PM
To: Shaun Maher <Shaun.Maher@fcc.gov>
Subject: RE: K35PH-D

Shawn:

This was filed today.
An e-mail message from:
Dan J. Alpert
The Law Office of Dan J. Alpert
2120 N. 21st Rd.
Arlington, VA 22201

703-243-8690 (business)
703-539-5418 (fax)
Website: www.commlaw.tv

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From: Shaun Maher <Shaun.Maher@fcc.gov>
Sent: Tuesday, September 19, 2023 3:16 PM
To: dja commlaw.tv <dja@commlaw.tv>; castellimedialasvegas@gmail.com; imtmedia6@gmail.com
Cc: Mark Colombo <Mark.Colombo@fcc.gov>

Subject: K35PH-D and W30EU-D

This is response to your email below concerning the canceled construction permit for **K35PH-D, College Station, TX**. You should file your request for reinstatement as a petition for reconsideration on the LMS pleading filing system and against the cancelled CP LMS file number. Once we receive the petition and if its sufficient, we will reinstate the Station's CP and reactivate it on LMS and it can file its late license application. Please "cc" me with a copy of the petition when filed. Understand that the station may be subject to a forfeiture for late-filed license application even if it is reinstated.

Your petition must include evidence that the station was constructed as authorized and that the station has been operational since that time. For example, such evidence may include copies of engineering records, station records such as EAS logs and program logs, affidavits from tower owners/tower managers or persons that conducted the construction, construction and equipment invoices, electrical bills, and tower or program leasing agreements. All affidavits must comply with 47 CFR § 1.16 of the Commission's rules. We are attaching a recent petition for reconsideration seeking reinstatement that illustrates the types of evidence we will need.

We note that another station by this licensee - **W30EU-D, Albany, Georgia** also filed a late license to cover after its construction permit had expired. Although it include a request in its license application to reinstate the CP, this showing was insufficient. We will similarly need the information outlined above before we can formally reinstate the station's CP and process its license application. This station may also be subject to a forfeiture for late-filed license application.

Any questions, please contact me.

Shaun Maher

From: dja commlaw.tv <dja@commlaw.tv>
Sent: Sunday, September 17, 2023 7:27 PM
To: Mark Colombo <Mark.Colombo@fcc.gov>
Cc: Vincent Castelli <imtmedia6@gmail.com>
Subject: [EXTERNAL]: K35PH-D, Facility No. 182057

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Mark:

A letter cancelling the construction permit for this station was sent by you last week on September 12, 2023. However, the station was built and commenced operation on March 27, 2023, prior to expiration of the Permit. Consequently, on behalf of Castelli Media, I need to file (i) a petition for reconsideration of the action; (ii) a late-filed license

to cover; and (iii) a legal STA to allow the station to continue broadcasting pending the processing of the license-cover and petition.

LMS will not let me file the license to cover or STA. Can it be set up so the items can be filed?

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