



Federal Communications Commission
Washington, D.C. 20554

December 7, 2022

In Reply Refer to: 1800B3-ATS

CERTIFIED MAIL RETURN RECEIPT REQUESTED

The Power Foundation
106 Assembly Drive
Piedmont, SC 29673
ROB@THELIFEFM.COM

**In re: The Power Foundation
WWQZ(FM), Baptist Village, MA
Facility ID No. 177345
Silent since July 1, 2021**

Notification of License Expiration

Dear Licensee:

This letter is to inform you that the license of Station WWQZ(FM), Baptist Village, Massachusetts (Station), licensed to The Power Foundation (Licensee), has expired pursuant to section 312(g) of the Communications Act of 1934, as amended (Act).¹

On October 7, 2022, we sent you a letter stating that our records indicated that the Station had been off the air since at least July 1, 2021.² 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

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, Application File No. 0000176691, is also DISMISSED.

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 The Power Foundation* (sent by certified mail, return receipt requested, October 7, 2022) (Letter). Licensee disclosed the Station had been silent since July 1, 2021, in its pending license renewal application and request for silent authority. *See* Application File No. 0000155041 at Attachment, Silent STA (explaining Station went silent on July 1, 2021); Application File No. BLSTA-20210716AAA (same).

³ 47 CFR § 73.3568(a) ("... failure to respond to official correspondence or request for additional information, will be cause for dismissal."); *see also LPFM MX Group* 37, Memorandum Opinion and Order, 31 FCC Rcd 7512, 7517, para. 12 (2016) (dismissing application for failure to respond to letter of inquiry).

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):

John C. Trent, Esq. (fccman3@shentel.net)
(Legal Representative for The Power Foundation)

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).