



Federal Communications Commission
Washington, D.C. 20554

August 7, 2023

Sent via electronic mail

In reply refer to: 1800B3-KC

Ernest T. Sanchez, Esq.
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RE: **KNIZ(FM), Gallup, NM**
Facility ID No. 174368
Silent since December 16, 2022
Request for Extension of Special
Temporary Authority to Remain Silent

Dear Mr. Sanchez:

This letter concerns the request you filed on July 31, 2023, on behalf of The Ojo Caliente Restoration Society (OCRS), for extension of Special Temporary Authority (STA) to permit FM Radio Station KNIZ to remain silent.

Commission records reflect that OCRS stated that Station KNIZ(FM) went silent on December 16, 2022, for technical reasons. The previous STA was granted on January 13, 2023, and expired on July 12, 2023.¹ OCRS requests extension of its STA for continuing technical reasons.

OCRS's request is granted. Accordingly, Special Temporary Authority is granted to permit Station KNIZ(FM) to remain silent until December 16, 2023. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station KNIZ(FM) will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., December 17, 2023.**²

OCRS is required to notify the Commission when broadcast operations resume.³ If OCRS 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.⁴

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 We note that OCRS failed to submit a timely request for an extension of STA to permit Station KNIZ(FM) to remain silent beyond July 12, 2023. The action taken herein shall not be construed as authorizing the station to remain silent between July 12, 2023, and July 31, 2023. OCRS's request for *nunc pro tunc* treatment is denied.

² 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).

³ 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.

⁴ *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.⁵

Sincerely,



Victoria McCauley
Attorney, Audio Division
Media Bureau

⁵ See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).