

Request for Extension of Silent STA

The current licensee of radio station KBET(AM), Winchester, Nevada (Facility ID No. 136292, “KBET”), and its related FM translator station K276GX, Las Vegas, Nevada (Facility ID No. 203222, “K276GX”), respectfully requests extension of the special temporary authority (“STA”) granted in LMS File Nos. 0000220484 and 0000220485, respectively, for the stations to remain silent until no later than August 29, 2024 (the date by which the stations must be back on the air to avoid automatic cancellation of the licenses under Section 312(g) of the Communications Act, as amended).

As explained in the granted original silent STA requests, the stations have gone through several transitions in recent years, with the licenses first being involuntarily assigned on July 24, 2020, from the original limited liability company licensee, Silver State Broadcasting, LLC (“Silver State LLC”), which was controlled by Edward R. Stolz, II (“Stolz”), to a receiver appointed by a California state court, W. Lawrence Patrick, Receiver (“Patrick”), who contracted with a third party to operate the stations under a time brokerage arrangement. Silver State LLC then filed for bankruptcy before a federal court in Nevada, and the licenses were involuntarily assigned on February 22, 2022, back to Silver State LLC, as a “debtor in possession” (“Silver State DIP”) of the bankruptcy estate, controlled by Stolz, who resumed operating the stations. Then on March 10, 2023, the bankruptcy court appointed Michael W. Carmel, Esq. as the Chapter 11 trustee (“Trustee”) for the bankruptcy estate, and after Commission consent, on June 20, 2023, the licenses were involuntarily assigned to the current licensee, the Bankruptcy Estate of Silver State Broadcasting, LLC (the “Bankruptcy Estate”), controlled by the Trustee.

After taking over control of the stations, and since the Bankruptcy Estate had received informal reports that the stations may be operating with reduced power (or even off the air), the Bankruptcy Estate located and retained a qualified contract broadcast engineer to go out to inspect the stations’ equipment at the studio and transmitter sites (and to also inventory the equipment, and similar tasks), and report back to the Bankruptcy Estate. The engineer conducted his field inspections on August 29 and 30, 2023, and confirmed that both KBET and K276GX were off the air, so the Bankruptcy Estate promptly filed notifications and the silent STA requests.

Specifically, the engineer advised that there currently was no electric service at the site (a generator that had been used had been shot and vandalized), and basically all broadcast equipment for the stations (K276GX is co-located, licensed to operate from one of the KBET towers) at the KBET site was either missing or heavily vandalized at an unknown time by unknown persons, such that there was little to no working broadcast equipment at the site (with what little equipment that remained stripped of all of its copper or other potentially valuable metals).

Since the grant of the original silent STAs, the Commission has granted its consent to a bankruptcy court-approved sale and assignment of the FCC licenses for KBET and K276GX to AutoPilotFM, LLC (“AutopilotFM”), see LMS File Nos. 0000233236 and 0000233237, respectively, which the parties anticipate to close upon shortly. The Bankruptcy Estate also has filed for and recently been granted a minor change application for KBET, see LMS File No.

0000238465) and a minor modification of construction permit application for K276GX, see LMS File No. 0000238421, which the Bankruptcy Estate expects to allow the stations to both be put back on the air within a few months; therefore, grant of this extension of the silent STAs is requested for up to August 29, 2024, during this process.

Grant of the STA for the stations to remain silent for a period of time would serve the public interest, by allowing time for construction of the minor changes authorized by the Commission, thereby preserving the stations and the value of the assets of the Bankruptcy Estate both for creditors, in comity with the bankruptcy court, and for the public, by allowing the stations to be restored to operation.