

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

FEB 25 2013

**IN REPLY REFER TO:
1800B3-DW**

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Cheryl Harle
P.O. Box 456
Newport, OR

In re: KCUP(AM), Toledo, OR
Agpal Broadcasting, Inc.
Facility ID No. 645
Operational Status Inquiry

Dear Ms. Harle:


A recent inquiry to our office suggested that AM Station KCUP, Toledo, New Oregon, is currently silent. Since our records do not reveal any notification that the station suspended operations, you are required to clarify this matter in writing within thirty days of the date of this letter.¹

The Commission's Rules permit licensees to discontinue operations for good cause and for a period not to exceed 30 days without further authority, provided that the licensee notify the Commission by letter "not later than the 10th day of limited or discontinued operations."²

If Station KCUP(AM) suspended operations, please indicate both the date broadcasts ceased and the necessity for taking the station off-air. Please note that any station silence over thirty days requires the filing, of a request for Special Temporary Authority to operate at variance with the Commission's minimum operating schedule requirements.³ Certification pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988 must accompany any request for special temporary authority. Finally, we note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the station's tower shall be maintained.⁴

Failure to respond to this letter within the specified time will result in adverse actions jeopardizing both the station's license and call letters. If you have any questions concerning the content of this letter, please contact Denise Williams, Communications Analyst, by phone (202-418-2711), fax (202-418-1410), or e-mail (Denise.Williams@fcc.gov).

Sincerely,


Peter H. Doyle
Chief, Audio Division
Media Bureau

¹ See 47 C.F.R. § 73.1740.

² See 47 C.F.R. § 73.1740(a)(4).

³ See 47 C.F.R. § 73.1635 and 47 C.F.R. § 73.1740(a).

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