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August 31, 2020

**VIA U.S. MAIL**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: Cultural Energy  
Noncommercial Educational Station KCEY, Ranchos de Taos, NM  
Facility ID No. 173334  
BNPED-20071016AJM  
BMPED-20140625AOX  
REQUEST TO EXTEND TOLLING**

Dear Ms. Dortch:

Cultural Energy ("CE"), permittee of unbuilt new Noncommercial Educational Station KCEY(FM), Facility ID No. 173334, Ranchos de Taos, New Mexico, pursuant to Section 73.3598(b)(2) of the Commission's Rules, requests that the previously granted request to toll the construction period for KCEY be extended.

In response to a request filed on behalf of CE, on September 17, 2014, the Audio Division tolled the construction period for KCEY due to the initiation of a legal proceeding in New Mexico state court that, if successful, would preclude CE's use of its specified transmitter site. *Valerio v. Cultural Energy*, Cause No. D-820-CV-2014-00323 (Eight Judicial District Court, Taos County, New Mexico). The tolling was effective as of September 5, 2014. Since that time, CE has filed follow-up reports each six months. This letter constitutes one such report.

The legal proceeding that led to CE's initial tolling request remains pending. CE continues to try to negotiate a settlement.

As previously reported, this quiet title suit is particularly difficult to resolve because several of the claimants inherited the property from their grandparents. In each family, the ownership is split between multiple siblings and/or other relatives who rarely agree on what to do with the inherited mountain property. Moreover, some of the claimants want CE to purchase not only the rights to the approximately two acres where the tower would be located, but the entire narrow strips of land (linias) they claim, which are from fifteen to one hundred eight five feet wide by approximately five miles long.

CE still wishes to resolve the conflicting claims on the existing tracts to ensure that the easements or conveyances purchased will be usable, and continues negotiations with interested parties to that end. CE's President Robin Collier has recently been able to secure a quit claim with respect to largest of the strips, totaling 129 acres. However, CE will not be able to finish construction and begin operation of KCEY until all matters with respect to the transmitter site are resolved.

CE certifies that neither it nor any party to CE is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

Should further information be needed, please communicate with the undersigned.

Very truly yours,



Matthew H. McCormick  
*Counsel for Cultural Energy*

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