

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

AUG 23 2017

In reply refer to: 1800B3-DW

Stephan M. Brown, Esq.
Newpoint Law Group
3300 Douglas Blvd
Roseville, CA 95661

In re: **K257BE, Los Gatos, Etc., CA**
Facility ID No. 10942
Silent since September 30, 2016

Request for Extension of Special Temporary
Authority to Remain Silent

Dear Mr. Brown:

This letter concerns the request you filed on July 12, 2017, on behalf of Susan B. Bushell (Bushell), for extension of Special Temporary Authority (STA) to permit FM Translator Station K276BR to remain silent.

Commission records reflect that Bushell stated that Station K276BR went silent on September 30, 2016, because it lost its programming source. The previous STA was granted on November 18, 2016, and expired on May 17, 2017. Bushell requests extension of its STA because it lost its programming source. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.

Bushell's request is granted. Accordingly, Special Temporary Authority is granted to permit Station K276BR to remain silent until September 30, 2017. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station K276BR will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., October 1, 2017.**¹

Bushell is required to notify the Commission when broadcast operations resume. If Bushell 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.²

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 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.³

Finally, Section 73.1740(a)(4) of the Commission's Rules permits licensees to temporarily discontinue operations for good cause, and for a period not to exceed 30 days without further authority.⁴ This rule requires that the licensee notify the Commission by letter not later than the 10th day of limited or discontinued operations, and requires a licensee to seek Commission authorization for any period of limited or discontinued operations exceeding 30 days. Bushell failed to submit a timely request for

¹ See 47 U.S.C. § 312(g).

² *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.

³ See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).

⁴ See 47 C.F.R. § 73.1740(a)(4).

extension of STA to permit Station K276BR to remain silent beyond June 17, 2017, and the action taken herein shall not be construed as authorizing the station to remain silent between June 17, 2017, and July 12, 2017.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa Scanlan" followed by a stylized flourish.

Lisa Scanlan
Deputy Chief, Audio Division
Media Bureau