

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

MAR 26 2014

IN REPLY REFER TO:
1800B3-FMH

Kevin Fitzgerald
Smith and Fitzgerald, Partnership
P.O. Box 20155
Scanton, PA 18502

In re: WNAK-FM, Indian Lake, NY
Facility ID No. 183338
Silent since December 17, 2013

Request for Special Temporary
Authority to Remain Silent

Dear Mr. Fitzgerald:

This letter concerns the request you filed on December 20, 2013, on behalf of Smith and Fitzgerald, Partnership ("SFP"), for Special Temporary Authority to permit FM Radio Station WNAK to remain silent.

SFP's request states that Station WNAK(FM) went silent on December 17, 2013, for financial reasons. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.¹

SFP's request is granted. Accordingly, Special Temporary Authority is granted to permit Station WNAK FM to remain silent not to exceed 180 days from the date of this letter. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station WNAK-FM will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m., December 18, 2014.**² See Section 312(g) of the Communications Act, 47 U.S.C. § 312(g).

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

Sincerely,



Lisa Scanlan
Assistant Chief, Audio Division
Media Bureau

¹ In the event extension of special temporary authority is sought, please renew the certification in this matter.

² In addition to filing electronically with the Commission on the date operations resume, notification of resumption of broadcast operations must be emailed to Denise.Williams@FCC.gov.