

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554

*In reply refer to: 1800B3-KC*

Mr. James C. Nelly  
Nelly Broadcasting, LLC  
2470 Appleside Blvd.  
Suite B  
Clarkston, WA 99404

FEB 12 2020

In re: **K232EB, Hot Springs, SD**  
Facility ID No. 146402  
Silent since January 2, 2020  
Request for Special Temporary  
Authority to Remain Silent

Dear Mr. Nelly:

This letter concerns the request you filed on January 21, 2020, on behalf of Nelly Broadcasting, LLC (NB), for Special Temporary Authority (STA) to permit FM Translator Station K232EB to remain silent.

NB's request states that Station K232EB went silent on January 2, 2020, pending the proposed modification of its facilities. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.<sup>1</sup>

NB's request is granted. Accordingly, Special Temporary Authority is granted to permit Station K232EB 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 K232EB will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., January 3, 2021.**<sup>2</sup>

NB is required to notify the Commission when broadcast operations resume. If NB 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.<sup>3</sup>

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.<sup>4</sup>

Sincerely,



Victoria McCauley  
Attorney, Audio Division  
Media Bureau

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

<sup>2</sup> See 47 U.S.C. § 312(g).

<sup>3</sup> *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.

<sup>4</sup> See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).