



Federal Communications Commission  
Washington, D.C. 20554

December 28, 2015

Edward Athey  
City of Seward  
PO Box 167  
Seward, AK 99664

Re: Station K03FO, Seward, AK (Fac. ID No. 11547), File No. BLTTV-19801030ID and Station K07PG, Seward, AK (Fac. ID No. 11545), File No. BLTTV-19790320IA.

Dear Licensee:

This is with respect to the petition for reconsideration ("Petition") dated April 11, 2015, by the City of Seward ("Licensee"), the licensee of Stations K03FO, Seward, AK and K07PG, Seward, AK (collectively "Stations").<sup>1</sup> For the following reasons we grant the Petition, reinstate the Stations licenses and call-signs and grant the pending license renewal application.

Each license for the Stations had a stated license expiration date of February 1, 2015, however, no license renewal application was filed prior to the expiration date.<sup>2</sup> On February 5, 2015, the Video Division sent the Licensee a letter giving it thirty (30) days to file a license renewal application for the Stations; no application was filed.<sup>3</sup> In a letter dated March 20, 2015, the Video Division notified the Licensee that its license authorization had been canceled for failing to file a license renewal application and it was instructed to cease operations.<sup>4</sup> Upon realizing that no license renewal application had been filed for the Stations, the Licensee immediately contacted Video Division staff and on March 25, 2015, filed a request for Special Temporary Authority ("STA") to continue to operate the Stations.<sup>5</sup> The STAs were granted on March 30, 2015.

The Petition requests reinstatement of the Stations because: (1) the Licensee did not receive the Commission's correspondence in a timely manner because the letters went unopened as they were not addressed to a specific employee of the City of Seward and (2) the Stations are the only receivable over-the-air broadcast television stations in the area, which not only provide entertainment, but also news and emergency alert information. The Petition goes on to discuss that the Stations are part of the Alaska Rural Communications System, which provides free over-the-air television programming throughout the State of Alaska to underserved and underserved communities.

Based on the unique facts and circumstances presented we find that reinstatement of the licenses is appropriate and would be in furtherance of the public interest. We note that the significant public interest benefits discussed in the Petition in support reinstatement do not excuse the Licensee's ignorance

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<sup>1</sup> Petition for Reconsideration filed by the City of Seward (Apr. 11, 2015)("Petition").

<sup>2</sup> 47 C.F.R. §73.3539 (requiring an application for license renewal to be filed not later than the first day of the fourth full calendar month prior to the expiration of the license for which renewal is being sought).

<sup>3</sup> See Letter from Hossein Hashemzadeh, Deputy Chief, Video Division, Media Bureau to City of Seward (Feb. 5, 2015).

<sup>4</sup> See Letter from Hossein Hashemzadeh, Deputy Chief, Video Division, Media Bureau to City of Seward (Mar. 20, 2015).

<sup>5</sup> File Nos. BLSTA-20150325ACH and BLSTA-20150325ACG.

of our rules and failure to file a license renewal application in a timely manner. While we decline to take any further action against the Licensee at this time, we remind the Licensee of its obligation to comply and become familiar with all relevant statutes and Commission rules.<sup>6</sup> This not only includes the timely filing of applications, but ensuring that all licensee contact information is correct in order to ensure receipt of all written Commission correspondence.<sup>7</sup> We do not rule out sanctions in the future for violations of a similar nature.

Accordingly, the Petition for Reconsideration filed by the City of Seward **IS GRANTED** and the license and call signs for Stations K03FO, Seward, AK and K07PG, Seward, AK, Seward, AK **ARE REINSTATED**. Furthermore, the license renewal application for Stations K03FO, Seward, AK and K07PG, Seward, AK, File No. BRTTV-20150326AAB, **IS GRANTED**.

Sincerely,

Hossein Hashemzadeh  
Deputy Chief, Video Division  
Media Bureau

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<sup>6</sup> See, e.g., *Sitka Broadcasting Co., Inc.*, Memorandum Opinion and Order, 70 FCC 2d 2375 (1978).

<sup>7</sup> See 47 C.F.R. §1.5(b) Contact information for the licensee can be reviewed in the Commission Licensing Management System. See <https://enterpriseefiling.fcc.gov/dataentry/login.html>. We encourage the licensee to ensure its contact information for the Stations are correct and that an appropriate contact representative is listed to ensure future correspondence is received in a timely manner.