

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

February 13, 2009

Sainte Partners II, L.P.
c/o Gregg P. Skall, Esquire
Womble, Carlyle, Sandridge & Rice, PLLC
1401 Eye Street, NW
Seventh Floor
Washington, DC 20005

Re: K52FK, Eureka, CA
BPTTL-20040806AAI
Facility ID No. 40271

Dear Licensee:

This refers to the "Request to Toll" filed on behalf of Sainte Partners II, L.P. (Sainte) with regard to the construction permit to modify the facilities of low power station K52FK, Eureka, California.

The subject construction permit application was granted on January 10, 2006, and is scheduled to expire on January 10, 2009. You state that Chester Smith, the co-founder and Chief Executive of Sainte, died unexpectedly on August 8, 2008. You further state that credit required for construction of the station was based on the personal guarantee of Mr. Smith, as well as his loans to the licensee. You report that Mr. Smith's death caused the licensee's credit lines to be frozen with the likelihood that those loans may be recalled.

You state that the licensee has begun to make substitute financial arrangements to complete construction of the station, which can be finalized only after pending court proceedings are addressed and an executor to represent the estate is appointed. In that regard, you have attached an opinion letter from local counsel who estimates that the appointment of an executor in this case can be reasonably expected by May 25, 2009, after which you anticipate that substitute financing can be finalized, and station construction completed within 60 days. Although that timetable for completing station construction cannot be precisely determined at this time, you state that the licensee was prevented from fully construction the station by an unexpected act of God – Mr. Smith's death – from August 8, 2008 through May 29, 2009, and that the construction permit should be tolled for that time period.

You contend that tolling of the subject construction permit is warranted under Section 73.3598(b) because construction has been delayed by Mr. Smith's death and the pendency of local probate proceedings to appoint an executor for his estate.

We have reviewed your request for tolling, and find that you have set forth adequate facts to demonstrate that tolling of the K52FK construction permit is warranted.

Accordingly, IT IS ORDERED that tolling of the K52FK construction permit IS GRANTED, and the Commission's records are modified to reflect that the construction permit IS TOLLED for a time period beginning on August 8, 2008 and May 29, 2009, consistent with the licensee's representations outlined above. Should the facts underlying this grant change in any material respect, we expect the licensee to promptly inform us of any such changes.

Sincerely,

Hossein Hashemzadeh
Associate Chief, Video Division
Media Bureau

cc: Mark A. Balkin, Esquire
William K. Keane, Esquire