

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

MAR 09 2012

IN REPLY REFER TO:
1800B3-DW

David G. O'Neil, Esq.
Rini Coran, PC
1140 19th Street, NW, Suite 600
Washington, DC 20036

In re: **W276BH, Byhalia, MS**
Facility ID No. 149184
Silent since October 10, 2011

Request for Special Temporary
Authority to Remain Silent

Dear Mr. O'Neil:

This letter concerns the request you filed on March 5, 2012, on behalf of Radio Power Inc. ("RPI"), for Special Temporary Authority to permit FM Translator Radio Station W276BH to remain silent.

RPI's request states that Station W276BH went silent on October 10, 2011, for financial reasons. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.¹

RPI's request is granted. Accordingly, Special Temporary Authority is granted to permit Station W276BH 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 W276BH will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m., October 11, 2012.**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. Additionally, 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).

Finally, Section 73.1740(a)(4) of the Commission's Rules permits licensees to discontinue operations for good cause, and for a period not to exceed 30 days without further authority. See 47 C.F.R. §73.1740(a)(4). This rule requires that the licensee notify the Commission by letter "not later than the 10th day of limited or discontinued operations," and if operations are not able to commence by the 10th day, "informal written request shall be made to the FCC no later than the 30th day for such additional time as may be deemed necessary." RPI failed to submit a timely request for an STA to

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.

permit Station W276BH to remain silent beyond November 10, 2011, and the action taken herein shall not be construed as authorizing the station to remain silent between November 10, 2011, and March 5, 2012.

Sincerely,



Lisa A. Scanlan
Assistant Chief, Audio Division
Media Bureau