



Federal Communications Commission
Washington, D.C. 20554

October 18, 2021

In Reply Refer to: 1800B3-VM

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Eternity Media Group
P.O. Box 3
Tullahoma, TN 37388
ehldonald@comcast.net

Re: **WKXG(AM), Greenwood, MS**
Facility ID No. 65008

Notification of License Cancellation

Dear Licensee:

This letter is to inform you that the license of Station WKXG(AM), Greenwood, Mississippi (Station), licensed to Eternity Media Group (EMG), has expired pursuant to Section 312(g) of the Communications Act of 1934, as amended (Act).¹

On April 20, 2021,² and on May 5, 2021,³ we sent EMG letters asking for a response to allegations in a petition to deny (Petition)⁴ against the Station's license renewal application⁵ stating that the Station had had long periods of unauthorized silence over the license term, one exceeding a year, and long periods of unauthorized operation by sharing the WGRM(AM), Greenwood, Mississippi, tower. Our letter stated that EMG was required to document the Station's operation between January 1, 2019, and the date of each letter. Pursuant to section 73.1740 of the Commission's Rules, EMG was required to respond in writing within thirty days of the date of each letter.

On May 24, 2021 EMG responded by email.⁶ Its response included bank and credit card statements and payroll records. It also included pictures of the facilities, and transmitter maintenance records.⁷ It included EAS records from 2014-2017.

We find that the license for the Station has expired pursuant to Section 312(g) of the Act due to the Station's failure to operate from August 1, 2020 to August 1, 2021.⁸ The financial records EMG

¹ 47 U.S.C. § 312(g).

² See Letter from Albert Shuldiner, Chief, Audio Division, Media Bureau, FCC, to Eternity Media Group, (sent by electronic mail, Apr. 20, 2021, 17:36 DST).

³ See Letter from Albert Shuldiner, Chief, Audio Division, Media Bureau, FCC, to Eternity Media Group, (sent by certified mail, return receipt requested, May 5, 2021).

⁴ Pleading File No. 0000113144 (filed May 4, 2020).

⁵ Application File No. 0000106614 (filed Feb. 26, 2020)

⁶ See Emails from Bryan Covey, EMG Engineer, to Victoria McCauley, Attorney, Audio Division, MB, FCC, May 24, 2021, 9:09 DST

⁷ The maintenance records show seven dates of maintenance in 2019, five dates in 2020, ending July 15, 2020, and one on May 15, 2021.

⁸ Section 312(g) of the Act provides that if a broadcast station fails to transmit broadcast signals with its authorized facilities for any consecutive 12-month period, then the station license granted for the operation of that broadcast

produced are incomplete, and they show no payments that can be attributed to Station operations after August 1, 2020. The EAS logs show no EAS tests in 2020 or 2021. The transmitter maintenance logs submitted are unverifiable and show no transmitter maintenance after July 15, 2020, except for an entry made on May 21, 2021. However, the Station lacked authority to operate because the last granted technical STA to operate at variance from its licensed facilities expired on December 30, 2020.⁹

Therefore, the Commission's public and internal databases HAVE BEEN MODIFIED to indicate that the broadcast license for the referenced station is EXPIRED, that the station's license is CANCELLED as a matter of law, and that the station's call sign is DELETED. In addition, the station's license renewal application (Application File No. 0000106614) and the Petition to Deny that application (Pleading File No. 0000113144) ARE DISMISSED as moot.

Finally, we note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the station's tower be maintained until the tower is dismantled. Accordingly, the owner of the tower where the referenced station's transmitting antenna is located is required to maintain the tower in the manner prescribed by our rules and the terms of the cancelled license.¹⁰

Please direct any questions concerning the content of this letter to Victoria McCauley, Attorney, phone (202-418-2136), or e-mail (Victoria.McCauley@fcc.gov).

Sincerely,

Albert Shuldiner

Albert Shuldiner
Chief, Audio Division
Media Bureau

cc: Mr. Larry Fuss (larry@larryfuss.com)

station expires at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary, except that the Commission may extend or reinstate such station license to promote equity and fairness.

⁹ EMG filed numerous requests for Special Temporary Authority (STA) to operate at variance from its licensed facilities since at least 2018. The last STA (File No. BESTA-20200701AAL) expired on December 31, 2020, but the documentation EMG provided fails to show that it operated with that facility after August 1, 2020. An STA request filed on April 15, 2021 (File No. BESTA-20210415AAB), has been held by staff, pending review of this matter.

¹⁰ See 47 U.S.C. §303(q); 47 CFR §§17.1 *et seq.* and 73.1213. See also *Streamlining the Commission's Antenna Structure Clearance Procedure*, Report and Order, 11 FCC Rcd 4272, 4293 (1995) (tower owner bears primary responsibility for maintaining tower painting and/or lighting).