

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554

NOV 04 2016

In reply refer to: 1800B3-DW

Tom W. Davidson, Esq.  
Akin Gump Strauss Hauer & Feld LLP  
1333 New Hampshire Avenue, N.W.  
Washington, DC 20036

In re: **WVKM(FM), Matewan, WV**  
Facility ID No. 67039  
Silent since September 28, 2016  
  
Request for Special Temporary  
Authority to Remain Silent

Dear Mr. Davidson:

This letter concerns the request you filed on October 24, 2016, on behalf of West Virginia Educational Broadcasting Authority (WVEBA), for Special Temporary Authority (STA) to permit FM Radio Station WVKM to remain silent.

WVEBA's request states that Station WVKM(FM) went silent on September 28, 2016, 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>

WVEBA's request is granted. Accordingly, Special Temporary Authority is granted to permit Station WVKM(FM) 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 WVKM(FM) will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., September 29, 2017.**<sup>2</sup>

WVEBA is required to notify the Commission when broadcast operations resume. If WVEBA 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,



Lisa Scanlan  
Assistant Chief, Audio Division  
Media Bureau

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<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> 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).