



Federal Communications Commission
Washington, D.C. 20554

March 30, 2023

In Reply Refer to: 1800B3-VMM

CERTIFIED MAIL RETURN RECEIPT REQUESTED

The Sportzmax, Inc.
1320 Miracle Strip Pkwy., Ste. 200
Fort Walton Beach, FL 32548

In re: WDSP(AM), De Funiak Springs, FL
Facility ID No. 60812
Silent since June 9, 2021

Notification of License Cancellation

Dear Licensee:

This letter is to inform you that the license of Station WDSP(AM), De Funiak Springs, Florida (Station), licensed to The Sportzmax, Inc. (Licensee), has expired pursuant to section 312(g) of the Communications Act of 1934, as amended (Act).¹

On October 7, 2022, we sent you a letter stating that our records indicated that the Station had been off the air since at least June 9, 2021.² Licensee was required to clarify this matter in writing within forty-five days of the date of the Letter. To date we have received no response.

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.

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

¹ 47 U.S.C. § 312(g) ("If a broadcasting station fails to transmit broadcast signals for any consecutive 12-month period, then the station license granted for the operation of that broadcast 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 if the holder of the station license prevails in an administrative or judicial appeal, the applicable law changes, or for any other reason to promote equity and fairness."). See also *Kingdom of God, Inc.*, Memorandum Opinion and Order, 32 FCC Rcd 3654 (2017), *aff'd*, *Kingdom of God, Inc. v. FCC*, No. 17-1132, 719 Fed. Appx. 19 (Mem) (D.C. Cir. Apr. 10, 2018); *Eagle Broad. Group, Ltd.*, Memorandum Opinion and Order, 23 FCC Rcd 588, 592, para. 9 (2008), *aff'd sub nom. Eagle Broad. Group, Ltd. v. FCC*, 563 F.3d 543, 553 (D.C. Cir. 2009) (unauthorized, unlicensed broadcasts cannot constitute transmission of broadcast signals to avoid termination under Section 312(g)).

² See *Letter from Albert Shuldiner, Chief, Audio Division, Media Bureau, FCC, The Sportzmax, Inc.* (sent by certified mail, return receipt requested, Oct. 2, 2022) (Letter). See also File No. BLSTA-20210609AAH (gr. Jul. 30, 2021).

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.³

Sincerely,

Albert Shuldiner

Albert Shuldiner
Chief, Audio Division
Media Bureau

cc (via electronic mail):
Bryan A. Covey, Esq. (BCOVEYFARMS@GMAIL.COM)
(Contact Representative for The Sportzmax, Inc.)

³ 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).