



Federal Communications Commission
Washington, D.C. 20554

March 24, 2020

Cayo Hueso Networks, LLC
P.O. Box 1471
Evergreen, CO 80437

Re: Request To Reinstate and
Extend License and Silent Authority
Under Section 312(g)
W16CA-D, Homestead, FL
LMS File No. 0000059526
Facility ID No. 126708

Dear Licensee:

This concerns the above-referenced request to reinstate and extend license and silent authority (Request), as amended, filed by Cayo Hueso Networks, LLC (CHN), licensee of low power television station W16CA-D, Homestead, Florida (W16CA or Station). For reasons set forth below, we grant the Request, waive all applicable rules, and reinstate and extend the Station's license.

Background. Section 312(g) provides that “[i]f 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...for any reason to promote equity and fairness.”¹

Request. In its Request, CHN notes that the Station went silent on September 17, 2017, as a result of damage incurred from Hurricane Irma. CHN has been attempting to rebuild the Station's facilities. However, the station's transmitter site was completely destroyed by Hurricane Irma and there was extensive flooding that caused major infrastructure damage. CHN represents that restoration was further delayed due to electrical infrastructure repair out of the station's control. CHN recently acquired a transmitter on a short-term loan agreement and the station resumed operations on its licensed facilities on March 4, 2020. Therefore, CHN requests that the Commission reinstate and extend the station's license pursuant to Section 312(g) to “promote equity and fairness.”

Discussion. Upon review of the facts and circumstances presented, we find that CHN's request to reinstate and extend license satisfies the requirements of Section 312(g), will promote equity and fairness and is in the public interest. Consistent with the public interest, we will provide Section 312(g) relief, including reinstatement of a station's license, to stations that are forced off the air by circumstances

¹ 47 U.S.C. § 312(g).

beyond their control.² W16CA was forced off the air as a result of hurricane damage and CHN took steps to rebuild its facilities and resume operations. Therefore, due to circumstances outside its control, W16CA was unable to return to the air prior to the one-year anniversary of going silent. Grant of a relief will allow W16CA to return to the air and once again serve its viewers.

Accordingly, we find that in order to promote fairness and equity the request filed by Cayo Hueso Networks, LLC **IS HEREBY GRANTED**, the applicable Commission rules ARE WAIVED,³ and the license for W16CA-D, Homestead, Florida **IS REINSTATED AND EXTENDED**.

Sincerely,

/s/

Barbara A. Kreisman
Chief, Video Division
Media Bureau

cc: James Talens, Esq.

² See *V.I. Stereo Communications Corp.*, 21 FCC Rcd. 14259 (2006) (granting a request to reinstate a station's license when the station's tower had been destroyed by a hurricane and after it was rebuilt, again sustained substantial damage from three more hurricanes); *Community Bible Church, Letter*, 23 FCC Red 15012, 15014 (MB 2008) (reinstatement warranted where licensee took all steps needed to return to air, but remained off air to promote air safety after discovering and reporting that FCC and FAA records contained incorrect tower information); *Mark Chapman, Court-Appointed Agent, Letter*, 22 FCC Red 6578 (MB 2007) (reinstatement warranted where extended silence resulted from licensee's compliance with a court order).

³ 47 CFR §§ 74.15(f) and 74.763(c).