



Federal Communications Commission
Washington, D.C. 20554

February 14, 2023

Sent via electronic mail

In reply refer to: 1800B3-DW

Derek Teslik, Esq.
Gray Miller Persh LLP
2233 Wisconsin Avenue, N.W., Suite 226
Washington, DC 20007
dteslik@graymillerpersh.com

RE: **KHSM(FM), McKinleyville, CA**
Facility ID No. 184514
Silent since December 13, 2022
Request for Special
Temporary Authority to Remain Silent

Dear Mr. Teslik:

This letter concerns the request you filed on February 3, 2023, on behalf of Humboldt State University (HSU), for Special Temporary Authority (STA) to permit FM Radio Station KHSM to remain silent.

HSU's request states that Station KHSM(FM) went silent on December 13, 2022, for technical reasons.

HSU's request is granted. Accordingly, Special Temporary Authority is granted to permit Station KHSM(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 KHSM(FM) will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., December 14, 2023.**¹

HSU is required to notify the Commission when broadcast operations resume. If HSU 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.²

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.³

Finally, section 73.1740(a)(4) of the Commission's Rules permits licensees to temporarily discontinue operations for good cause, and for a period not to exceed 30 days without further authority.⁴ This rule requires that the licensee notify the Commission by letter not later than the 10th day of limited or discontinued operations, and requires a licensee to seek Commission authorization for any period of

¹ See 47 U.S.C. § 312(g).

² *Id.* 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.

³ See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).

⁴ See 47 C.F.R. § 73.1740(a)(4).

limited or discontinued operations exceeding 30 days. HSU failed to submit a timely request for an STA to permit Station KHSM(FM) to remain silent beyond January 13, 2023, and the action taken herein shall not be construed as authorizing the station to remain silent between January 13, 2023, and February 3, 2023.

Sincerely,

A handwritten signature in blue ink, reading "Victoria McCauley". The signature is fluid and cursive, with the first name "Victoria" and last name "McCauley" clearly distinguishable.

Victoria McCauley
Attorney, Audio Division
Media Bureau