



Federal Communications Commission
Washington, D.C. 20554

March 15, 2023

Sent via electronic mail

In reply refer to: 1800B3-CP

Mr. Nicholas Galli
1370 Washington Pike
Suite 406
Bridgeville, PA 15017
NAGALLI1@MSN.COM

RE: **WXKX(AM), Clarksburg, WV**
Facility ID No. 67102
Silent since August 24, 2022
Request for Extension of Special
Temporary Authority to Remain Silent

Dear Mr. Galli:

This letter concerns the request you filed on February 28, 2023, on behalf of Burbach of DE, LLC (BDE), for extension of Special Temporary Authority (STA) to permit AM Radio Station WXKX to remain silent.

Commission records reflect that BDE stated that Station WXKX(AM) went silent on August 24, 2022, for technical reasons. The previous STA was granted on September 22, 2022, and expired on March 20, 2023. BDE requests extension of its STA for continuing technical reasons.

BDE's request is granted. Accordingly, Special Temporary Authority is granted to permit Station WXKX(AM) to remain silent until August 24, 2023. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station WXKX(AM) will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., August 25, 2023.**¹

BDE is required to notify the Commission when broadcast operations resume.² If BDE 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.³

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

¹ See 47 U.S.C. § 312(g).

² In addition, periods of operation pursuant to this STA shall be recorded in the station's records (see 47 CFR §§ 73.1820 (AM/FM/TV), 73.877 (LPFM) and/or 74.1281 (FM translator)). The records shall include start/stop dates and times of such operation. These log entries must be maintained for a minimum of two years as specified in 47 CFR § 73.1840(a), unless a longer retention period is requested by the staff. Periods of operation may be subject to independent verification that they in fact occurred.

³ *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.

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.⁴

Sincerely,



Victoria McCauley
Attorney, Audio Division
Media Bureau

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