



Federal Communications Commission
Washington, D.C. 20554

May 1, 2023

Sent via electronic mail

In reply refer to: 1800B3-KC

Brad C. Deutsch, Esq.
Foster Garvey PC
1000 Potomac Street, N.W.
Suite 200
Washington, DC 20007
brad.deutsch@foster.com

RE: WJZR(FM), Rochester, NY
Facility ID No. 49193
Silent since July 12, 2022
Request for Extension of Special
Temporary Authority to Remain Silent

Dear Mr. Deutsch:

This letter concerns the request you filed on April 18, 2023, on behalf of WXXI Public Broadcasting Council (WXXI), for extension of Special Temporary Authority (STA) to permit FM Radio Station WJZR to remain silent.

Commission records reflect that WXXI stated that Station WJZR(FM) went silent on July 12, 2022, pending the proposed sale of its license. The previous STA was granted on September 9, 2022, and expired on March 8, 2023.¹ WXXI requests extension of its STA pending the proposed modification to its facilities.

WXXI's request is granted. Accordingly, Special Temporary Authority is granted to permit Station WJZR(FM) to remain silent until July 12, 2023. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station WJZR(FM) will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., July 13, 2023.**²

WXXI is required to notify the Commission when broadcast operations resume.³ If WXXI 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.⁴

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 We note that WXXI failed to submit a timely request for an extension of STA to permit Station WJZR(FM) to remain silent beyond March 8, 2023. The action taken herein shall not be construed as authorizing the station to remain silent between March 8, 2023, and April 18, 2023.

² See 47 U.S.C. § 312(g).

³ 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.

⁴ *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.⁵

Sincerely,

A handwritten signature in blue ink that reads "Victoria McCauley". The signature is written in a cursive style with a long, sweeping tail on the "y".

Victoria McCauley
Attorney, Audio Division
Media Bureau

⁵ See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).