

The new owners, Bobby D. Caldwell Revocable Trust, consummated the purchase of station KOKR(FM) Newport, AR on December 20, 2023



Federal Communications Commission
Washington, D.C. 20554

July 21, 2023

Sent via electronic mail

In reply refer to: 1800B3-KC

Gary S. Smithwick, Esq.
Smithwick & Belendiuk, PC
5028 Wisconsin Avenue, N.W.
Suite 301
Washington, DC 20016
gsmithwick@fccworld.com

RE: KOKR(FM), Newport, AR
Facility ID No. 48743
Silent since May 31, 2023
Request for Special
Temporary Authority to Remain Silent

Dear Mr. Smithwick:

This letter concerns the request you filed on July 10, 2023, on behalf of Newport Broadcasting Company (NBC), for Special Temporary Authority (STA) to permit FM Radio Station KOKR to remain silent.

NBC's request states that Station KOKR(FM) went silent on May 31, 2023, for technical reasons.

NBC's request is granted. Accordingly, Special Temporary Authority is granted to permit Station KOKR(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 KOKR(FM) will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., June 1, 2024.**¹

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

¹ See 47 U.S.C. § 312(g). The date set in this letter for the license expiration supersedes any notice generated from the FCC Licensing and Management System (LMS).

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.

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

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.⁵ 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 limited or discontinued operations exceeding 30 days. NBC failed to submit a timely request for an STA to permit Station KOKR(FM) to remain silent beyond July 1, 2023, and the action taken herein shall not be construed as authorizing the station to remain silent between July 1, 2023, and July 10, 2023.

Sincerely,

A handwritten signature in blue ink that reads "Victoria McCauley". The signature is fluid and cursive, with the first name "Victoria" being the most prominent part.

Victoria McCauley
Attorney, Audio Division
Media Bureau

⁵ See 47 C.F.R. § 73.1740(a)(4).