



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: KXAR(AM), Hope, AR**  
Facility ID No. 33763  
Silent since June 19, 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 AM Radio Station KXAR to remain silent.

NBC's request states that Station KXAR(AM) went silent on June 19, 2023, for technical reasons.

NBC's request is granted. Accordingly, Special Temporary Authority is granted to permit Station KXAR(AM) 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 KXAR(AM) will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., June 20, 2024.**<sup>1</sup>

NBC is required to notify the Commission when broadcast operations resume.<sup>2</sup> 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.<sup>3</sup>

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

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<sup>1</sup> 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).

<sup>2</sup> 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.

<sup>3</sup> *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.<sup>4</sup>

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

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<sup>4</sup> See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).