

KNBY (AM) was operating under an STA during 4th Quarter 2023, see attached.
KNBY (AM) resumed operations on December 7, 2023, see attached.

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

There have been no public affairs programming since resumption of operations.



Federal Communications Commission
Washington, D.C. 20554

March 1, 2023

Sent via electronic mail

In reply refer to: 1800B3-CP

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

RE: KNBV(AM), Newport, AR
Facility ID No. 48750
Silent since December 9, 2022
Request for Special
Temporary Authority to Remain Silent

Dear Mr. Smithwick:

This letter concerns the request you filed on February 14, 2023, on behalf of Newport Broadcasting Company (NBC), for Special Temporary Authority (STA) to permit AM Radio Station KNBV to remain silent.

NBC's request states that Station KNBV(AM) went silent on December 9, 2022, for technical reasons.

NBC's request is granted. Accordingly, Special Temporary Authority is granted to permit Station KNBV(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 KNBV(AM) will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., December 10, 2023.**¹

NBC is required to notify the Commission when broadcast operations resume. 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.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 limited or discontinued operations exceeding 30 days. NBC failed to submit a timely request for an STA to permit Station KNBV(AM) to remain silent beyond January 9, 2023, and the action taken herein shall

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).

not be construed as authorizing the station to remain silent between January 9, 2023, and February 14, 2023.

Sincerely,

A handwritten signature in blue ink that reads "Victoria McCauley". The signature is written in a cursive style with a long horizontal flourish at the end.

Victoria McCauley
Attorney, Audio Division
Media Bureau



(REFERENCE COPY - Not for submission)
Resumption of Operations of an AM Station Application

File Number: **0000232065** | Submit Date: **12/08/2023** | Lead Call Sign: **KNBY** | Facility ID: **48750**

FRN: **0001732056**

Service: **Full Power AM** | Purpose: **Resume Operations** | Status: **Submitted** | Status Date: **12/08/2023** | Filing Status: **Active**

General Information

Section	Question	Response
Attachments	Are attachments (other than associated schedules) being filed with this application?	No

Applicant Information

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
NEWPORT BROADCASTING COMPANY Doing Business As: NEWPORT BROADCASTING COMPANY	Harold Sudbury, Jr. PO BOX 989 BLYTHEVILLE, AR 72316 United States	+1 (870) 623-1209	harold@sudburybroadcastinggroup.com	COR

Contact Representatives (1)

Contact Name	Address	Phone	Email	Contact Type
Gary S. Smithwick, Esq. <i>Legal Counsel</i> SMITHWICK & BELENDIUK, P.C.	Gary S. Smithwick, Esq. 5028 WISCONSIN AVENUE, NW SUITE 301 WASHINGTON, DC 20016 United States	+1 (202) 363-4560	gsmithwick@fccworld.com	Legal Representative

Station Status

Section	Question	Response
Station Status	Date the station resumed full power/operations:	12/07/2023

Certification

Section	Question	Response
General Certification Statements	The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).	

The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification § 1.2002(c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.

Authorized Party to Sign

FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID

Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND /OR FORFEITURE (U.S. Code, Title 47, §503).

I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.

Harold L Sudbury, Jr .
Director

12/08/2023

Attachments

File Name	Uploaded By	Attachment Type	Description	Upload Status
<u>CIRCUMSTANCES OF RESUMPTION OF OPERATION.pdf</u>	Applicant		Circumstances of Resumption of Operation	Done with Virus Scan and/or Conversion

CIRCUMSTANCES OF RESUMPTION OF OPERATION

On December 7, 2023, KNBY resumed operations with licensed parameters.