FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET, S.W.
WASHINGTON, DC 20554

May 10, 2010

In Reply Refer to:
1800B3

Mr. Gary L. Peterson
Summit Public Radio and TV, Inc.
P.O. Box 6392
Breckenridge, Colorado 80424

In Re: DK232AC, Breckenridge, CO
Facility ID No. 55405
Request for Special Temporary Authorization

Dear Mr. Peterson:

This letter refers to the December 26, 2006, request for Special Temporary Authorization ("STA Request") filed on behalf of Summit Public Radio and TV, Inc. (the "Licensee"), licensee of expired FM Translator Station DK232AC, Breckenridge, Colorado.

An application for renewal of DK232AC's license should have been filed by December 1, 2004. No such application was filed, and the station's license expired on April 1, 2005. Accordingly, on June 24, 2005, the staff wrote to the Licensee, indicating that the station's license had expired and that: (1) all authority to operate the station was terminated; and (2) station's call letters were deleted from the Commission's data base. The Licensee was advised that any operation of the station was then unauthorized and must cease immediately.[1] Upon receipt of the *License Expiration Letter*, the Licensee filed the subject request for Special Temporary Authorization on December 26, 2006,[2] and ultimately was able to file successfully a license renewal application for DK232AC on October 7, 2009.[3]

In the STA Request, the Licensee explains that it inadvertently allowed the DK232AC license to expire. The Licensee therefore requests permission to continue DK232AC operations pending consideration of its later, ostensibly untimely, license renewal application.

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[1] *Letter to Summit Public Radio and TV, Inc.*, Ref. 1800B3-JDB (MB Jun. 24, 2005) (the "*License Expiration Letter*").

[2] Although the STA request had not been granted, the Licensee filed additional STA requests on January 21, 2009 (BLSTA-20090121ABP) and July 15, 2009 (BLSTA-20090715AAD). In light of our action here, we will dismiss these latter two STA requests as moot.

[3] The licensee apparently twice attempted to file a license renewal application for DK232AC, once on July 8, 2005 (ARN-20050708AAK) (within 30 days of the issuance of the *License Expiration Letter*), and again on March 27, 2006 (File No. ARN-20060327AJF). These two applications remained in "READY" status because the Licensee neglected to pay the filing fee associated with either of the applications.

Under Section 309(f) of the Communications Act,[4] when an appropriate application has been filed, the Commission may grant special temporary authorization if it finds that there are extraordinary circumstances requiring temporary operation s in the public interest and that delay in the institution of such temporary operations would seriously prejudice the public interest. In this case, we believe that the public interest in continuing DK232AC's FM Translator service to the residents of Breckenridge, Colorado, warrants continued operation of the station pending consideration and disposition of the October, 2009 renewal application.

Accordingly, the December 26, 2006, request for Special Temporary Authorization filed by Summit Public Radio and TV, Inc. IS GRANTED, and it may continue operation of FM Translator Station DK232AC, Breckenridge, Colorado, with the facilities for which the license expired on April 1, 2005. This authorization will expire (1) 180 days from the date of this letter; or (2) upon action on the pending DK232AC license renewal application, whichever is sooner.

Additionally, the January 21, 2009, and July 15, 2009, requests for Special Temporary Authorization filed by Summit Public Radio and TV, Inc. ARE DISMISSED AS MOOT.

Sincerely,

for Peter H. Doyle, Chief
Audio Division
Media Bureau

cc: Lawrence M. Miller, Esq.

[4] 47 U.S.C. § 309(f).