

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

MAR 20 2013

IN REPLY REFER TO:
1800B3-FMH

Dennis J. Kelly, Esq.
Law Office of Dennis J. Kelly
P.O. Box 41177
Washington, DC 20018-0577

In re: WPVM-LP, Asheville, NC
Facility ID No. 133357
Silent since October 23, 2012

Request for Special Temporary
Authority to Remain Silent

Dear Mr. Kelly:

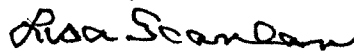
This letter concerns the request you filed on October 24, 2012, on behalf of Mountain Area Information Network ("MAIN"), for Special Temporary Authority to permit Low Power FM Radio station WPVM-LP to remain silent.

MAIN's request states that Station WPVM-LP went silent on October 23, 2012, pending the proposed modification of its facilities. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.¹

MAIN's request is granted. Accordingly, Special Temporary Authority is granted to permit Station WPVM-LP 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 WPVM-LP will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m., October 24, 2013.**² See Section 312(g) of the Communications Act, 47 U.S.C. § 312(g).

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. Finally, we note that 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. See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).

Sincerely,



Lisa Scanlan
Assistant Chief, Audio Division
Media Bureau

¹ In the event extension of special temporary authority is sought, please renew the certification in this matter.

² In addition to filing electronically with the Commission on the date operations resume, notification of resumption of broadcast operations must be emailed to Denise.Williams@FCC.gov.