



Federal Communications Commission
Washington, D.C. 20554
April 18, 2019

In reply refer to: 1800B3-VM

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Centro Cristiano De Vida Eterna
8230 Antoine Dr.
Houston, TX 77088

In re: W252AW, Chicago, IL
Facility ID No. 149046
Operational Status Inquiry

Dear Licensee:

We have two pending requests for Special Temporary Authority to remain silent (STA) filed on December 12, 2017 and on March 19, 2019 on behalf of Centro Cristiano De Vida Eterna (CCVE), licensee of Station W252AW, Chicago, Illinois (Station). We also have several informal pleadings filed by Larry Langford, Jr. (Langford), stating that the Station has not been constructed in accordance with its authorization.¹ To date, CCVE has not filed a response to Mr. Langford's allegations. Pursuant to Section 73.1740 of the Commission's Rules,² CCVE is required to clarify this matter in writing within thirty days of the date of this letter.

Langford argues that CCVE has falsely certified that the station was constructed and ready for operation in its applications for licenses to cover construction permits³ and falsely claimed on a silent STA that the reason for silence was that it had transmitter trouble⁴ when the Station had not been constructed. CCVE's only response to any of Langford's objections was to request dismissal of its application for license to cover in File No. BLFT-20170419AII.

Based on this information, we believe that sufficient question has been raised regarding the Station's construction and operation to open an inquiry into the matter. It appears that the Station may not have been constructed in accordance with its authorization and may have been silent (or failed to operate with authorized facilities) in violation of our rules and the Communications Act of 1934, as amended (Act) for more than one year. Pursuant to Section 312(g) of the Act, **if a broadcast station fails to transmit broadcast signals with its authorized facilities for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, unless extended or reinstated by Commission action.**⁵

¹ See pleadings attached to File Nos. BPFT- 20170908AAN (filed on December 11, 2017, supplemented on December 13, 2017 and March 13, 2018) and BLSTA- 20171212ACW (filed on December 14, 2017).

² 47 CFR § 73.1740.

³ Although not specifically cited to by Langford, we infer that the license applications to which Langford is referring are File No. BLFT-20170419AII (dismissed on March 12, 2018 based on CCVE's March 7, 2018 letter request); and File No. BLFT-20181205ABC (granted on December 20, 2018).

⁴ See File No. BLSTA-20171212ACW, Exhibit 1.

⁵ 47 U.S.C. § 312(g); "If a broadcasting station fails to transmit broadcast signals for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary, except that the Commission may extend or reinstate such station license if the holder of the station license prevails in

Please provide evidence documenting the Station's construction and operational status since March 4, 2018. This evidence must indicate the location, effective radiated power and antenna height above ground level for **all periods of operation** from April 5, 2016,⁶ to the present. Also include copies of all leases, contracts to install equipment, agreements for utility installation, insurance records, personnel records (including payroll records appropriately redacted to protect the privacy of individual employees), engineering records, and station logs, for that period of time. In addition, you must provide copies of all invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the Station's construction and operation.⁷ You **must also include pictures** of the Station's transmission facilities during this timeframe, and provide exact Station coordinates.

Failure to respond to this letter within the specified time will result in adverse actions jeopardizing both the Station's license and call letters. If you have any questions concerning the content of this letter, please contact Victoria McCauley, Attorney, by phone (202-418-2136), or e-mail (Victoria.McCauley@fcc.gov).

Sincerely,

Handwritten signature of Albert Shuldiner in blue ink, with the initials "TH" written at the end.

Albert Shuldiner
Chief, Audio Division
Media Bureau

cc: Dan Alpert, Esq.

an administrative or judicial appeal, the applicable law changes, or for any other reason to promote equity and fairness." *See also Kingdom of God, Inc.*, Memorandum Opinion and Order, 32 FCC Rcd 3654 (2017), *aff'd*, *Kingdom of God, Inc. v. FCC*, No. 17-1132, 719 Fed. Appx. 19 (Mem) (D.C. Cir. Apr. 10, 2018); *Eagle Broad. Group, Ltd.*, Memorandum Opinion and Order, 23 FCC Rcd 588, 592, para. 9 (2008), *aff'd sub nom. Eagle Broad. Group, Ltd. v. FCC*, 563 F.3d 543, 553 (D.C. Cir. 2009) (unauthorized, unlicensed broadcasts cannot constitute transmission of broadcast signals to avoid termination under Section 312(g)).

⁶ This is the date that CCVE consummated its assignment of license of the Station.

⁷ In addition, if CCVE or any employee or agent of CCVE uses accounting software to maintain financial records for the Station, provide printouts of the data recorded for this period.