



Federal Communications Commission
Washington, D.C. 20554

June 1, 2006

DA 06-1177
Released June 1, 2006

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. John N. Kyle
President
Tiger Eye Broadcasting Corp.
3400 Lakeside Drive
Suite 500
Miramar, FL 33027

Re: Tiger Eye Broadcasting Corp.
WTNO-LP, New Orleans, LA
Facility ID No. 24981
File No. BRTTA-20050209AMI

Dear Mr. Kyle:

This is in reference to the license renewal application filed by Tiger Eye Broadcasting Corp. (the Licensee) for Station WTNO-LP, New Orleans, Louisiana.¹ That application is unopposed. On April 12, 2006, however, the Video Division sent a letter of inquiry to the Licensee, requesting additional information to aid in determining whether the Licensee had fully met its obligation under the Children's Television Act of 1990 (CTA) to serve the educational and informational needs of children through its programming.² In its May 2, 2006 response, the Licensee detailed the nature and extent of its children's programming efforts and indicated that Station WTNO-LP was destroyed by Hurricane Katrina and that it is currently silent pursuant to Special Temporary Authority.³ In view of the serious economic hardship that the licensee has suffered, we will excuse its apparent noncompliance with the CTA.

As noted above, Station WTNO-LP is currently silent. The Commission will not review the license renewal application of a silent station.⁴ The Commission implemented procedures,

¹ An application to assign the license for Station WTNO-LP from Tiger Eye Finance, Inc. to Una Vez Mas San Diego, LLC is currently pending. (BALTTA-20051209AEP).

² Children's Television Act of 1990, Pub. L. No. 101-437, 104 Stat. 996-1000, *codified at* 47 U.S.C. §§ 303a, 303b, and 394.

³ On September 7, 2005, the Commission granted the Licensee's request for special temporary authority (STA) to remain silent. (BLSTA-20050906ACT). On March 28, 2006, the Commission granted the Licensee's request for extension of the STA. (BLESTA-20060328ACZ).

⁴ See *Birach Broadcasting Corporation*, 16 FCC Rcd 5015 (2001).

however, to help stations affected by Hurricane Katrina.⁵ The Licensee submitted a letter on May 19, 2006 stating that a bank loan that would permit the Licensee to rebuild station WTNO-LP is contingent upon grant of Station WTNO-LP's license renewal application. The Licensee also indicated that it would be able to rebuild the station 90 to 180 days from the date its license renewal application is granted. Therefore, the Licensee requested that the Commission grant WTNO-LP's license renewal application with the condition that the station must be returned to the air before November 15, 2006 or six months from the date the station's license renewal application is granted, whichever is later.

Based upon the unique circumstances presented in the Licensee's May 19, 2006 letter, we believe that grant of a conditional license renewal for Station WTNO-LP is warranted. Having found the Licensee fully qualified to remain a Commission licensee, we conclude that a grant of the application for renewal of license for Station WTNO-LP would serve the public interest, convenience and necessity, and BRTTA-20050209AMI IS HEREBY GRANTED subject to the condition that Station WTNO-LP be returned to the air on or before December 1, 2006.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau

cc: Jennifer L. Richter, Esq., Counsel for Tiger Eye Broadcasting Corp.
Kathleen A. Kirby, Esq., Counsel for Una Vez Mas San Diego, LLC

⁵ See *Media Bureau Announces Procedures to Promote the Resumption of Radio and Television Broadcast Service to Areas Impacted by Hurricane Katrina*, Public Notice, 20 FCC Rcd 14468 (MB 2005).