



Federal Communications Commission
Washington, D.C. 20554

March 24, 2022

First State Communications, Inc.
3012 Highwoods Blvd.
Suite 201
Raleigh, NC 27604

Re: First State Communications, Inc.
WPTF(AM), Raleigh, NC
Fac. ID No.: 21630
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed March 22, 2022, on behalf of First State Communications, Inc. ("FSC"). FSC requests special temporary authority ("STA") to operate station WPTF(AM) during nighttime hours with temporary non-directional facilities.¹ In addition, the station is also requesting the option to operate with nighttime directional parameters at variance to allow testing of the antenna. No changes are proposed for the station's daytime operation.

In support of the request, FSC states that AM station WKIX(AM) has an outstanding construction permit (BP-2020304AAC) to co-locate and diplex with WPTF(AM). In order to facilitate the implementation of WKIX(AM) at the WPTF(AM) site, it is necessary to install diplex equipment and filters on the WPTF(AM) nighttime towers. Thus, the station requests STA to operate non-directionally from the daytime tower during nighttime hours with a reduced power of 10 kilowatts or with nighttime directional parameters at variance to allow testing of the antenna. In addition, the licensee requests STA to permit nighttime directional operation following the restoration of the station's nighttime directional antenna pattern using method of moment modeling and internal array parameters with the new computer derived parameters pending preparation, filing, and processing of an FCC Form 302 application notifying the return to direct measurement of power.

Accordingly, the request for STA IS HEREBY GRANTED and BSTA-20211006AAF is SUPERSEDED. Station WPTF(AM) may operate non-directionally during nighttime hours from the daytime tower with a reduced power of 10 kilowatts or with nighttime directional parameters at variance to allow testing of the antenna. In addition, following the restoration of the station's nighttime directional antenna pattern using the method of moment modeling and internal array parameters with the new computer derived parameters. No changes are proposed to the daytime operation. It will be necessary to further reduce or cease operation if complaints of interference are received. WPTF(AM) must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **September 20, 2022**.

¹ WPTF(AM) is licensed for operation on 680 kHz with a daytime and nighttime power of 50 kilowatts, employing a directional antenna pattern at night (DAN-U).

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jerome J. Manarchuck". The signature is fluid and cursive, with the first name "Jerome" and last name "Manarchuck" clearly distinguishable.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Coe W. Ramsey, Esq. (via email only)
Carol Heynen Wooten (via email only)