

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
E-MAIL: charles.miller@fcc.gov

February 19, 2009

Elizabeth Skrobiszewski, Vice President
Virginia Center for Public Press
1621B West Broad Street
Richmond, Virginia 23220

Re: Virginia Center for Public Press
WRIR-LP(FM), Richmond, Virginia
Facility Identification Number: 126872
Special Temporary Authority

Dear Ms. Skrobiszewski:

This is in reference to the request filed February 17, 2009, on behalf of Virginia Center for Public Press ("VCP"). VCP requests special temporary authority ("STA") to operate Station WRIR-LP with emergency antenna facilities pursuant to Section 73.1680.¹ In support of the request, VCP states that the station's licensed transmission system was damaged during an ice storm on February 13, 2009, and that it has restored operation with a temporary antenna mounted on the roof of its studio building.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(2) provides that FM and TV stations may erect any suitable radiator, or use operable sections of the authorized antenna(s) as an emergency antenna. STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service² to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area³ without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation with effective radiated power ("ERP") of 81 watts would result in substantial extension of the 60 dBu contour beyond the licensed contour.

¹ WRIR-LP is licensed for operation on Channel 247L1 (97.3 MHz) with effective radiated power of 0.042 kilowatt (H&V) and antenna height above average terrain of 46 meters.

² For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

³ For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

However, if the ERP is reduced to 5 watts, the extension would be eliminated. STA will be granted with a power reduction to 5 watts.

Accordingly, the request for STA IS HEREBY GRANTED, with a power reduction as discussed above. Station WRIR-LP may operate with the following facilities:

Geographic coordinates:	37° 33' 15" N, 77° 27' 25" W (NAD 1927)
Channel	247 (97.3 MHz)
Effective radiated power:	Not to exceed 0.005 kilowatt (H&V)
Antenna type	Nondirectional
Antenna height:	
above ground:	20 meters
above mean sea level:	81 meters
Above average terrain:	32 meters

Upon receipt of this letter, VCPP must immediately reduce its ERP to 5 watts or less. VCPP must notify the Commission when licensed operation is restored. VCPP 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 **August 19, 2009**.

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 blue ink, appearing to read "Charles N. Miller". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Virginia Center for Public Press