

FEDERAL COMMUNICATIONS COMMISSION
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February 27, 2009

Ryan Wilhour
Kessler and Gehman Associates, Inc.
507 Northwest 60th Street, Suite C
Gainesville, Florida 32607

Re: University of Southern Mississippi
WUSM-FM, Hattiesburg, Mississippi
Facility Identification Number: 69214
Special Temporary Authority

Dear Mr. Wilhour:

This is in reference to the request filed February 26, 2009, on behalf of University of Southern Mississippi ("USM"). USM requests special temporary authority ("STA") to operate Station WUSM-FM with temporary facilities.¹ In support of the request, USM states that the station is being forced from the currently licensed tower, and that it plans to file an application for construction permit to permanently relocate the station. In the interim, USM requests STA for operation with temporary facilities.

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 3 kilowatts would result in a substantial extension of the 60 dBu contour beyond the licensed contour; however, if the ERP is reduced to 0.25 kilowatt, the extension would be eliminated. STA will be granted with a power reduction to 0.25 kilowatt.

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

Geographic coordinates:	31° 18' 26" N, 89° 24' 47" W (NAD 1927)
Channel	203 (88.5 MHz)
Effective radiated power:	Not to exceed 0.25 kilowatt (H&V)

¹ WUSM-FM is licensed for operation on Channel 203A (88.5 MHz) with effective radiated power of 3 kilowatts (H&V) and antenna height above average terrain of 86 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.

Antenna type: Omnidirectional
Antenna height:
 above ground: 103 meters
 above mean sea level: 213 meters
 Above average terrain: 129 meters

USM must notify the Commission when licensed operation is restored. USM 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 27, 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,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: University of Southern Mississippi