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May 28, 2009

Mark Van Bergh, Esq.
2538C South Arlington Mill Drive
Arlington, Virginia 22206

Re: WGVS(AM), Muskegon, Michigan
Facility Identification Number: 33695
Grand Valley State University
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed May 27, 2009, on behalf of Grand Valley State University (GVSU). GVSU requests special temporary authority (STA) to operate Station WGVS with parameters at variance from licensed values and/or reduced power while maintaining monitor points within licensed limits.¹ In support of the request, GVSU states that the station's sampling system has been damaged by lightning.

Accordingly, the request for STA IS HEREBY GRANTED. Station WGVS may operate with parameters at variance from licensed values and/or reduced power while maintaining monitor points within licensed limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. GVSU must notify the Commission when licensed operation is restored.² GVSU 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 **November 28, 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

¹ WGVS is licensed for operation on 850 kHz with 1 kilowatt daytime and 1 kilowatt nighttime, employing the same directional antenna pattern during daytime and nighttime hours. (DA-1-U).

² See 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b)

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".

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Grand Valley State University