

FEDERAL COMMUNICATIONS COMMISSION
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June 15, 2009

Roger Brown, CEO
Apple City Broadcasting Co., Inc.
239 East Main Avenue
Taylorsville, North Carolina 28681

Re: Apple City Broadcasting Co., Inc.
WTLK (AM), Taylorsville, North Carolina
Facility Identification Number: 28974
Special Temporary Authority

Dear Mr. Brown:

This is in reference to the request filed June 12, 2009, on behalf of Apple City Broadcasting Co., Inc. ("ACB"). ACB requests special temporary authority ("STA") to operate Station WTLK with emergency antenna facilities pursuant to Section 73.1680.¹ In support of the request, ACB states that the station's licensed tower collapsed in a storm on June 8, 2009. ACB states that it has decided not to rebuild at the currently licensed site but, rather, to relocate the station to the nearby tower of commonly-owned Station WACB. ACB provides technical details for the proposed STA operation.

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)(1) provides that AM stations using an emergency nondirectional antenna in lieu of authorized directional facilities shall operate with power reduced to 25 percent or less of the nominal licensed power, or a higher power, not exceeding licensed power, while insuring that the radiated field strength does not exceed that authorized in any given azimuth.

Our review indicates that immediate commencement of operation is precluded by the need to install diplexing equipment as discussed below. Otherwise, the request complies with Section 73.1680.

Accordingly, the request for STA IS HEREBY GRANTED. Station WTLK may operate with the following facilities:

Geographic coordinates	35° 55' 57" N, 81° 10' 19" W (NAD 1927)
Frequency	1570 KHz
Hours of operation	Unlimited
Operating power	Not to exceed 0.65 kW daytime, 0.198 kW nighttime
Antenna type	Existing licensed antenna of Station WACB
Antenna efficiency	342.5 mV/m/km/kW
Overall height	78 meters
ASRN	1026337

¹ WTLK is licensed for operation on 1570 kHz with 1 kilowatt daytime and 0.244 kilowatt nighttime, employing a nondirectional antenna (ND-1-U).

Operation shall not commence until sufficient duplexing equipment has been installed and properly adjusted to reduce all spurious emissions below the levels specified in 47 CFR Section 73.44(b). Within 10 days after commencement of operation, ACB must submit the results of measurements which demonstrate compliance with the above condition. It will be necessary to further reduce power or cease operation if complaints of interference are received. ACB 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. It is anticipated that an application for construction permit will be filed in the near future.

This authority expires on **December 15, 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: Apple City Broadcasting Co., Inc.