

**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/](http://www.fcc.gov/mb/audio/)

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

August 14, 2009

Kevin F. Reed, Esq.  
Dow Lohnes PLLC  
1200 New Hampshire Avenue NW, Suite 800  
Washington, DC 20036-6802

Re: Cox Radio, Inc.  
WAGG (AM), Birmingham, Alabama  
Facility Identification Number: 48717  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed July 16, 2009, on behalf of Cox Radio, Inc. ("CRI"). CRI requests extension of the special temporary authority ("STA") granted on January 28, 2009, to operate Station WAGG during nighttime hours with a temporary nondirectional antenna and reduced power.<sup>1</sup> In support of the request, CRI states that the City of Birmingham is scheduled to begin an extensive construction project immediately adjacent to the WAGG antenna system. CRI states that the construction equipment will disrupt the ground system and transmission line to Tower #2 of its nighttime array, making directional operation impossible.

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.

Our review indicates that the licensee has been prevented from restoring licensed operation due to causes beyond its control and has taken all possible steps to expeditiously resolve the problem. Thus, extension of STA is warranted.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WAGG may

---

<sup>1</sup> WAGG is licensed for operation on 610 kHz with 5 kilowatts daytime and 1 kilowatt nighttime, employing a directional antenna during nighttime hours only (DA-N-U).

operate during nighttime hours with a temporary nondirectional antenna and reduced power not to exceed 0.25 kilowatt, as necessary due to the construction work described above. It will be necessary to further reduce power or cease operation if complaints of interference are received. CRI must notify the Commission when licensed operation is restored.<sup>2</sup> CRI 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 **February 14, 2010**.

Sincerely,



Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Cox Radio, Inc.

---

<sup>2</sup> *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).