

**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)

January 23, 2007

Gary S. Smithwick, Esq.  
Smithwick & Belendiuk, P.C.  
5028 Wisconsin Avenue NW, Suite 301  
Washington, DC 20016

Re: WAFX (FM), Suffolk, Virginia  
Facility Identification Number: 67082  
Tidewater Communications, LLC  
Special Temporary Authority  
Hybrid IBOC Digital Operation

Dear Counsel:

This is in reference to the request filed January 17, 2007, on behalf of Tidewater Communications, LLC ("Tidewater"). Tidewater requests extension of special temporary authority ("STA") to operate Station WAFX with a hybrid digital signal,<sup>1</sup> pursuant to the *First Report and Order* in MM Docket No. 99-325 ("*Report and Order*").<sup>2</sup> Tidewater proposes operation with separate analog and digital antennas, pursuant to the Public Notice issued March 17, 2004 ("*Public Notice*").<sup>3</sup> Our review indicates that the proposed operation complies with the requirements of the Public Notice.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WAFX may operate with a hybrid digital signal as defined in the *Report and Order*.<sup>4</sup> The digital signal will be transmitted via licensed auxiliary antenna BXLH-20021227ABN. The digital transmitter

---

<sup>1</sup> WAFX is licensed for analog operation on Channel 295C (106.9 MHz) with effective radiated power of 100 kilowatts (H&V) and antenna height above average terrain of 300 meters.

<sup>2</sup> *Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service*, MM Docket No. 99-325, *First Report and Order*, (October 11, 2002).

<sup>3</sup> *Public Notice*, "Use of Separate Antennas to Initiate Digital FM Transmissions Approved", MM Docket No. 99-325, DA 04-712 (October 17, 2004).

<sup>4</sup> See *Report and Order*, Appendix B.

power output will be 0.185 kilowatt. The analog transmitter power output will be 19.5 kilowatts. Tidewater 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. Pursuant to 47 CFR Section 73.1635(b), this authority may be modified or cancelled by the Commission without notice or right to hearing. Tidewater must post a copy of this authority with the station license. Any subsequent modification of the licensed analog facilities will require a modification of this authority.

This authority expires on **July 23, 2007**.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles N. Miller". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Tidewater Communications, LLC