

**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/)

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September 11, 2009

Marcus W. Trathen, Esq.  
Brooks, Pierce, McLendon, Humphrey & Leonard, LLP  
Box 1800  
Raleigh, North Carolina 27602

Re: University of North Carolina at Chapel Hill  
FM Translator W216BE, Buxton, North Carolina  
Facility Identification Number: 89947  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed September 9, 2009, on behalf of University of North Carolina at Chapel Hill ("UNCCH"). UNCCH requests extension of the special temporary authority ("STA") granted on March 10, 2009, to operate Station W216BE with reduced power and antenna height.<sup>1</sup> In support of the request, UNCCH states that it had been experiencing technical problems with the translator prior to grant of the initial STA and that it is in the process of negotiating a lease for the site specified in Construction Permit BPFT-20070807ABN. In the interim, it proposes to operate the translator with reduced power and antenna height, which will allow for continued operation of the translator.

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.

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<sup>1</sup> W216BE is licensed for operation on Channel 216D (91.1 MHz) with effective radiated power of 0.25 kilowatt (H&V) and antenna height above average terrain of 65 meters. Construction Permit BPFT-20070807ABN authorizes relocation of the transmitter and a reduction in antenna height to 49 meters.

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 W216BE may continue to operate with reduced power and antenna height. UNCCH 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 **March 11, 2010**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: University of North Carolina at Chapel Hill