

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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December 18, 2009

John C. Trent, Esq.
Putbrese Hunsaker & Trent, P.C.
200 South Church Street
Woodstock, Virginia 22664

Re: WSPO(AM), Charleston, South Carolina
Facility Identification Number: 60038
Apex Broadcasting, Inc.
Special Temporary Authorization

Dear Counsel:

This is in reference to: 1) the request filed December 15, 2009, on behalf of Apex Broadcasting, Inc. ("Apex"). Apex requests extension of the special temporary authority ("STA") granted on June 18, 2009, to operate Station WSPO with a temporary nondirectional antenna and reduced power¹. In support of the request, Apex states that it is installing diplexing equipment to accommodate the co-location of Station WTMA(AM).

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 made progress toward restoration of licensed operation, but additional time is required for completing the work. Thus, extension of STA is warranted.

¹ WSPO is licensed for operation on 1390 kHz with 5 kilowatts daytime and 5 kilowatts nighttime, employing a directional antenna during nighttime hours only (DA-N-U).

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WSPO may continue to operate with with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. Operation also is authorized with a temporary nondirectional antenna and reduced power not to exceed 5 kilowatts daytime and 1.25 kilowatts nighttime, only as necessary to facilitate the work. It will be necessary to further reduce power or cease operation if complaints of interference are received. Apex must notify the Commission when licensed operation is restored.² Apex 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 **June 18, 2010**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller".

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Apex Broadcasting, Inc.

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