

**FEDERAL COMMUNICATIONS COMMISSION**  
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December 17, 2009

John M. Pelkey, Esq.  
Garvey, Schubert & Barer  
1000 Potomac Street NW, Fifth Floor  
Washington, DC 20007

Re: WYNR (FM), Waycross, Georgia  
Facility Identification Number: 57785  
Qantum of Brunswick License Company, LLC  
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed December 4, 2009, on behalf of Qantum of Brunswick License Company, LLC ("QBL"). QBL requests special temporary authority ("STA") to operate Station WYNR with emergency antenna facilities pursuant to Section 73.1680.<sup>1</sup> In support of the request, QBL states that the station's transmission line has been severely damaged by a lightning strike. QBL requests STA for operation with a single bay antenna mounted on the tower of commonly-owned Station WHFX(FM), with reduced power and antenna height.

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)(2) provides that FM and TV stations may erect any suitable radiator, or use operable sections of the authorized antenna(s) as an emergency antenna.

Accordingly, the request for STA IS HEREBY GRANTED. Station WYNR may continue to operate with emergency antenna facilities as described above. QBL must notify the Commission when licensed operation is restored. QBL 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 17, 2010**.

**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

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<sup>1</sup> WYNR is licensed for operation on Channel 273C1 (102.5 MHz) with effective radiated power of 97 kilowatts (H&V) and antenna height above average terrain of 303 meters.

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,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a stylized flourish at the end.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Qantum of Brunswick License Company, LLC