

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/

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

January 5, 2010

John S. Neely, Esq,
Miller and Neely, P.C.
6900 Wisconsin Avenue, Suite 704
Bethesda, MD 20815

Re: WXJC(AM), Birmingham, Alabama
Facility Identification Number : 74245
Kimtron, Inc.
Special Temporary Authorization

Dear Mr. Neely:

This is in reference to the request filed December 30, 2009, on behalf of Kimtron, Inc. (Kimtron). Kimtron requests further extension of the special temporary authority ("STA") granted on September 22, 2008, to operate Station WXJC with parameters at variance and/or reduced power while maintaining monitor points within licensed limits.¹ In support of the request, Kimtron states that it has repaired its damaged ground system and is in the process of converting the sampling system to loops so that a Method of Moments proof can be performed.

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 substantial progress toward restoration of licensed operation; thus, extension of STA is warranted.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WXJC may continue to operate with parameters at variance and/or reduced power while maintaining monitor

¹ WXJC is licensed for operation on 850 kHz with 50 kilowatts daytime and 1 kilowatt nighttime, employing different directional antenna patterns during daytime and nighttime hours (DA-2-U).

points within licensed limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. Kimtron must notify the Commission when licensed operation is restored.² Kimtron 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 **July 5, 2010**.

Sincerely,

A handwritten signature in blue 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: Kimtron, Inc.

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