

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET SW**  
**WASHINGTON DC 20554**

**MEDIA BUREAU**  
**AUDIO DIVISION**  
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March 31, 2010

Dan J. Alpert, Esq.  
2120 North 21st Road, Suite 400  
Arlington, Virginia 22201

Re: Georgia Eagle Broadcasting, Inc.  
WDXQ (AM), Cochran, Georgia  
Facility Identification Number: 26623  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed March 25, 2010, on behalf of Georgia Eagle Broadcasting, Inc. ("GEB"). GEB requests special temporary authority ("STA") to operate Station WDXQ pursuant to Section 73.1615.<sup>1</sup> In support of the request, GEB states that it is in the process of completing construction of modified WDXQ facilities as authorized by Construction Permit BP-20091222ALQ. GEB requests STA for operation with the permit facilities, but with reduced power, pending installation of a new antenna tuning unit.

Section 73.1615, which governs operation during modification of facilities, provides that licensees holding construction permits for modification of nondirectional AM facilities may discontinue operation or may operate with temporary facilities to maintain, as nearly as possible, but not exceed, the size of the presently licensed coverage area. Our review indicates that the request complies with Section 73.1615.

Accordingly, the request for STA IS HEREBY GRANTED. Station WDXQ may operate with the facilities specified in Construction Permit BP-20091222ALQ, but with reduced power.

It will be necessary to further reduce power or cease operation if complaints of interference are received. GEB must notify the Commission when licensed operation is restored.<sup>2</sup> GEB 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 **October 1, 2010**.

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<sup>1</sup> WDXQ is licensed for operation on 1440 kHz with 1 kW daytime and 0.09 kW nighttime, employing a nondirectional antenna (ND-2-U). Construction Permit BP-20091222ALQ authorizes a reduction in antenna height, an increase in antenna efficiency and a reduction in operating power to 0.94 kW daytime and 0.048 kW nighttime.

<sup>2</sup> *See* 47 CFR §§ 73.45(c), 73.51, 73.61(b).

**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 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".

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Georgia Eagle Broadcasting, Inc.