

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
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May 12, 2010

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 March 10, 2010, 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.¹ In support of the request, UNCCH states that it has determined that the tower specified in Construction Permit BPFT-20070807ABN is not suitable due to structural concerns, and that it is in the process of obtaining the necessary local and environmental approvals for a new site.

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 been prevented from restoring licensed operation due

¹ 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.

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 **November 12, 2010**.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: University of North Carolina at Chapel Hill