

**FEDERAL COMMUNICATIONS COMMISSION
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**MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS:** (202) 418-2730
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May 12, 2010

Joseph A. Belisle, Esq.
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4400 Biscayne Boulevard, Suite 880
Miami, Florida 33137

Re: NM Licensing LLC, Debtor in Possession
WSGW-FM, Carrollton, Michigan
Facility Identification Number: 41842
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed May 11, 2010, on behalf of NM Licensing LLC, Debtor in Possession ("NML"). NML requests special temporary authority ("STA") to operate Station WSGW-FM with temporary facilities.¹ In support of the request, NML states that an issue has been discovered regarding the coverage area of the newly-licensed WSGW-FM facilities. NML requests STA to operate with its formerly licensed facilities in order to conduct tests of the new antenna.

Our review indicates that the proposed STA operation will not result in extension of the 60 dBu contour beyond the licensed contour and that interference to other stations is not likely to occur.

Accordingly, the request for STA IS HEREBY GRANTED. Station WSGW-FM may operate with the following facilities:

| | |
|---------------------------|---|
| Geographic coordinates: | 43° 33' 42" N, 83° 58' 52" W (NAD 1927) |
| Channel | 263 (100.5 MHz) |
| Effective radiated power: | 3 kilowatts (H&V) |
| Antenna height: | |
| above ground: | 102 meters |
| above mean sea level: | 285 meters |
| Above average terrain: | 100 meters |

NML must notify the Commission when licensed operation is restored. NML 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.

¹ WSGW-FM is licensed for operation on Channel 263A (100.5 MHz) with effective radiated power of 6 kilowatts (Max-DA, H&V) and antenna height above average terrain of 100 meters.

This authority expires on **August 12, 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 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,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: NM Licensing LLC, Debtor in Possession