

**FEDERAL COMMUNICATIONS COMMISSION
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WASHINGTON DC 20554**

**MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS:** (202) 418-2730
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June 8, 2010

David D. Oxenford, Esq.
Davis Wright Tremaine LLP
1919 Pennsylvania Avenue NW, Suite 800
Washington, D.C. 20006

Re: Triad Broadcasting Company, LLC
WMBD (AM), Peoria, Illinois
Facility Identification Number: 42119
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed June 4, 2010, on behalf of Triad Broadcasting Company, LLC ("TBC"). TBC requests special temporary authority ("STA") to operate Station WMBD with temporary facilities.¹ In support of the request, TBC states that, in order to repair lightning damage to the tower lighting and in order to facilitate repainting of Tower #1, it seeks STA for operation with a temporary nondirectional antenna and reduced power.

Our review indicates that the proposed STA operation complies with the technical provisions of Section 73.1615, which governs operation during modification of facilities.

Accordingly, the request for STA IS HEREBY GRANTED. Station WMBD may operate with a temporary nondirectional antenna, using Tower #2 of the licensed array, as necessary to facilitate the planned repair and repainting work. Operating power shall not exceed 3.8 kilowatts daytime and 1.25 kilowatt nighttime. It will be necessary to further reduce power or cease operation if complaints of interference are received. TBC must notify the Commission when licensed operation is restored.² TBC 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 **September 8, 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

¹ WMBD is licensed for operation on 1470 kHz with 5 kilowatts daytime and 5 kilowatts nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U).

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

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: Triad Broadcasting Company, LLC