

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

**MEDIA BUREAU**  
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June 21, 2010

John R. Wilner, Esq.  
Fleischman and Harding, LLP  
1255 Twenty-third Street NW, Eighth Floor  
Washington, D.C. 20037

Re: Northwestern College  
WSMR(FM), Sarasota, Florida  
Facility Identification Number: 64255  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed June 18, 2010, on behalf of Northwestern College ("NWC"). NWC requests special temporary authority ("STA") to operate Station WSMR with temporary facilities.<sup>1</sup> In support of the request, NWC states that it has received final notice that it must vacate the licensed tower, which is to be dismantled. NWC states that it plans to file an application for full facilities at the STA site in the near future.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service<sup>2</sup> to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area<sup>3</sup> without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

Our review indicates that the proposed STA operation complies with the foregoing criteria.

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

Geographic coordinates:	27° 09' 03" N, 82° 27' 51" W (NAD 1927)
Channel	206 (89.1 MHz)
Effective radiated power:	0.33 kilowatt (H&V)
Antenna height:	
above ground:	79 meters
above mean sea level:	82 meters

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<sup>1</sup> WSMR is licensed for operation on Channel 206C2 (89.1 MHz) with effective radiated power of 50 kilowatts (H&V) and antenna height above average terrain of 141 meters.

<sup>2</sup> For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

<sup>3</sup> For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Above average terrain: 81 meters

NWC must notify the Commission when licensed operation is restored. NWC 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 **December 21, 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,

A handwritten signature in blue ink, appearing to read "Charles N. Miller".

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Northwestern College