

FEDERAL COMMUNICATIONS COMMISSION
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August 6, 2010

Howard M. Weiss, Esq.
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209-3801

Re: WLAY(AM), Muscle Shoals, Alabama
Facility Identification Number: 60611
Urban Radio Communications, LLC
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed August 3, 2010, on behalf of Urban Radio Communications, LLC ("URC"). URC requests special temporary authority ("STA") to operate Station WLAY from a site other than the licensed site. In support of the request, URC states that it has lost the lease and access to the licensed site. URC states that it is actively seeking a new, permanent site for the station. In order to maintain service to its community, URC requests STA for temporary operation from the station's existing STL tower at the studio site.

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 service¹ to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area² 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. Our review further indicates that the station has been silent since June 28, 2010, and thus faces the loss of its license if it does not resume broadcasting on or before June 28, 2011.

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

Geographic coordinates:	34° 44' 13" N, 87° 42' 15" W (NAD 1927)
Frequency:	1450 kHz
Hours of operation:	Unlimited
Operating power:	Not to exceed 1 kilowatt
Antenna type	Existing STL tower with vertical wire feed
Radiator height:	63.7° (36.6 meters)
Antenna efficiency:	288.6 mV/m/km/kW
Overall height	36.6 meters

¹ For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

² For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

It will be necessary to reduce power or cease operation if complaints of interference are received. URC 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 **February 6, 2011**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law upon twelve consecutive months of silence. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also Public Notice, Expedited Processing of Applications Filed by Silent Stations*, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

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: Urban Radio Communications, LLC