

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET, S.W.
WASHINGTON, DC 20554

October 13, 2010

In Reply Refer to:
1800B3

Mr. Roger Keener
St. Bonaventure University
Drawer O
St. Bonaventure, NY 14778

In re: DWSBU(FM), St. Bonaventure, New York
Facility ID No. 62106
Request for Special Temporary Authorization

Dear Mr. Keener:

This letter refers to the October 4, 2010, request for Special Temporary Authorization (“STA”) filed on behalf of the St. Bonaventure University (the “University”), licensee of expired Station DWSBU(FM), St. Bonaventure, New York (the “Station”).

An application for renewal of DWSBU(FM)’s license should have been filed by February 1, 2006. No such application was filed, and the Station’s license expired on June 1, 2006. Accordingly, on September 28, 2010, the staff wrote to the University, indicating that the Station’s license had expired and that: (1) all authority to operate the Station was terminated; and (2) the Station’s call letters had been deleted from the Commission’s data base. The licensee was advised that any operation of the station was then unauthorized and must cease immediately.¹ Upon receipt of the *License Expiration Letter*, the University ceased Station operations and tendered both a license renewal application for the Station² and a request for Special Temporary Authorization to continue station operations pending consideration of the license renewal application.

In the STA request, the University indicates that the failure to file a timely renewal application for the Station is the result of an administrative oversight due to the annual turnover at the student-run Station. The University now requests STA to continue Station operations pending consideration of the renewal application for Station DWSBU(FM), in order that it can continue its hands-on broadcasting training to University students and its broadcast of educational programming to the University and surrounding community.

Under Section 309(f) of the Communications Act, 47 U.S.C. Section 309(f), when an appropriate application has been filed, the Commission may grant special temporary

¹ *Letter to St. Bonaventure University*, Ref. 1800B3-KAW (Chief, Audio Division, Media Bureau, Sep. 28, 2010) (the “*License Expiration Letter*”).

² See File No. BRED-20101007AAM

authorization if it finds that there are extraordinary circumstances requiring temporary operation is in the public interest and that delay in the institution of such temporary operations would seriously prejudice the public interest. In this case, we believe that the public interest in continuing DWSBU(FM)'s noncommercial educational FM broadcast service to the residents of St. Bonaventure, New York, warrants resumed operation of the station pending consideration and disposition of the (untimely) renewal application.

Accordingly, the October 4, 2010, request for Special Temporary Authorization filed by St. Bonaventure University IS GRANTED, and it may resume operation of DWSBU(FM), St. Bonaventure, New York, with the facilities for which the license expired on June 1, 2006. This authorization will expire: (1) 180 days from the date of this letter; or (2) upon action on the pending DWSBU(FM) license renewal application, whichever is sooner. Grant of this authorization is without prejudice to whatever action, if any, the staff deems appropriate in light of the failure to file a timely license renewal application for DWSBU(FM).

Sincerely,



Peter H. Doyle
Chief, Audio Division
Media Bureau

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0386 (July 2002)	FOR FCC USE ONLY
Legal STA		FOR COMMISSION USE ONLY FILE NO. BLSTA - 20101004ACF
Read Instructions/FAQ before filling out form		

Section I - General Information

1.	Legal Name of the Applicant ST. BONAVENTURE UNIVERSITY	
	Mailing Address DRAWER O	
	City ST. BONAVENTURE, NY	State or Country (if foreign address) NY
	Zip Code 14778 -	
	Telephone Number (include area code) 7163752307	E-Mail Address (if available) WSBUFM@SBU.EDU
	FCC Registration No 0020240347	Call Sign DWSBU
	Facility ID Number 62106	
2.	Contact Representative (if other than licensee/permittee) ROGER KEENER	Firm or Company Name WSBU
	Mailing Address DRAWER O	
	City ST. BONAVENTURE, NY	State or Country (if foreign address) NY
	Zip Code 14778 -	
	Telephone Number (include area code) 7163752307	E-Mail Address (if available) WSBUFM@SBU.EDU
3.	Purpose:	
	<input type="checkbox"/> Engineering STA	
	<input type="checkbox"/> Extension of Existing Engineering STA	
	<input checked="" type="checkbox"/> Legal STA	
	<input type="checkbox"/> Extension of Existing Legal STA	
4.	Service: FM	
5.	Community of License: City: ST. BONAVENTURE State: NY	
6.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="checkbox"/> Governmental Entity <input checked="" type="checkbox"/> Noncommercial Educational Licensee/Permittee <input type="checkbox"/> Other <input type="checkbox"/> N/A (Fee Required)	
7.	Please explain in detail the "extraordinary circumstances" which warrant temporary operations at variance from the Commission's Rules. In addition, please specify 1) the specific rules and/or policies from which the applicant seeks temporary relief; 2) how the public interest will be furthered by grant; and 3) the expected duration of the STA and the licensee's plan for restoration of licensed operation.	[Exhibit 38]
8.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I hereby certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

Typed or Printed Name of Person Signing ZACHARY WITZEL	Typed or Printed Title of Person Signing STATION MANAGER
Signature	Date (mm/dd/yyyy) 10/04/2010

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

Exhibits

Exhibit 38

Description: EXTRAORDINARY CIRCUMSTANCES EXPLANATION

WE WERE REFERRED TO THIS FORM BY FCC STAFF, SPECIFICALLY KAREN WORKEMAN. UPON RECEIVING THE STA, WE WILL APPLY FOR A NEW LICENSE.

OUR STATION RECEIVED A LETTER ON OCTOBER 1, 2010 FROM THE FCC STATING OUR LICENSE HAD EXPIRED IN 2006 AND OUR CALL LETTERS WERE DELETED. WE IMMEDIATELY SHUT DOWN EVERYTHING, INCLUDING THE TRANSMITTER, AND HAVE TAKEN ALL STEPS NECESSARY TO GET BACK ON THE AIR.

BECAUSE OUR STATION IS STUDENT-RUN, WE HAVE A LOT OF STAFF TURNOVER, SO NO ONE CURRENTLY WORKING AT THE STATION WOULD HAVE RECEIVED NOTICE IN 2006. WHAT'S MORE, THE STATION NEVER RECEIVED ANY FOLLOW-UP INFORMATION IN ANY YEAR SINCE 2006 STATING OUR LICENSE HAD EXPIRED.

WE'D HONESTLY JUST PREFER TO GET BACK ON THE AIR AND CONTINUE THE EDUCATION OF STUDENTS ON CAMPUS REGARDING BROADCASTING OVER THE AIR AND HOW A NONCOMMERCIAL RADIO STATION WORKS.

Attachment 38