

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
E-MAIL: charles.miller@fcc.gov

January 4, 2011

Mark Snow, Managing Member
Red Mountain Broadcasting, LLC
Box 70937
Tuscaloosa, Alabama 35407

Re: Red Mountain Broadcasting, LLC
W276BQ(FX), Birmingham, Alabama
Facility Identification Number: 141539
Special Temporary Authority

Dear Mr. Snow:

This is in reference to the request filed December 29, 2010, on behalf of Red Mountain Broadcasting, LLC ("RMB"). RMB requests special temporary authority ("STA") to operate FM Translator W276BQ with temporary facilities.¹

In support of the request, RMB states that the translator is currently off the air due to a dispute with the owner of the licensed site. RMB seeks to restore operation with temporary facilities until the situation can be resolved or a new, permanent site can be located and licensed. RMB provides technical details for the proposed temporary operation.

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 service² to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area³ 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 with 250 watts would result in a significant extension of the 60 dBu contour beyond the licensed contour toward the southwest.

¹ W276BQ is licensed for operation on Channel 276D (103.1 MHz) with effective radiated power of 0.13 kilowatt (H&V) and antenna height above ground of 307 meters.

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

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

However, if the effective radiated power is reduced to 30 watts, the extension would be eliminated. STA is granted with a power reduction to 30 watts.

Accordingly, the request for STA IS HEREBY GRANTED, with a power reduction as discussed above. Station W276BQ may operate with the following facilities:

Geographic coordinates:	33° 26' 38" N, 86° 52' 47" W (NAD 1927)
Channel	276 (103.1 MHz)
Effective radiated power:	not to exceed 0.03 kilowatt (30 watts) (H&V)
Antenna type	Nondirectional
Antenna height:	
above ground:	186 meters
above mean sea level:	474 meters

RMB must notify the Commission when licensed operation is restored. RMB 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 **July 5, 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,

A handwritten signature in blue ink, appearing to read "Charles N. Miller". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Red Mountain Broadcasting, LLC