

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

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January 28, 2011

James L. Oyster, Esq.  
108 Oyster Lane  
Castleton, Virginia 22716

Re: WVIS(FM), Vieques, Puerto Rico  
Facility Identification Number: 69631  
V. I. Stereo Communications Corp.  
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed January 26, 2011, on behalf of V. I. Stereo Communications Corp. ("VISCC"). VISCC requests special temporary authority (STA) to operate Station WVIS from a site other than the licensed site.<sup>1</sup> In support of the request, VISCC states that it has lost the licensed site, and that it plans to file an application to premanently relocate the station to the STA site. VISCC provides technical details for the proposed STA 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 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 WVIS may operate with the following facilities:

Geographic coordinates:	18° 19' 37" N, 65° 18' 21" W (NAD 1927)
Channel	291 (106.1 MHz)
Effective radiated power:	31 kilowatts (H&V)
Antenna height:	
above ground:	49 meters
above mean sea level:	174 meters
above average terrain:	173 meters

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<sup>1</sup> WVIS is licensed to Vieques, Puerto Rico, with effective radiated power ("ERP") of 50 kilowatts (H&V), and antenna height above average terrain ("HAAT") of 148 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.

VISCC must notify the Commission when licensed operation is restored. VISCC 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 28, 2011**.

**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", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: V. I. Stereo Communications Corp.