

FEDERAL COMMUNICATIONS COMMISSION
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February 9, 2011

Lee J. Peltzman, Esq.
Shainis & Peltzman
1850 M Street NW, Suite 240
Washington, DC 20036

Re: Mercer County Community College
WWCJ(FM), Cape May, New Jersey
Facility Identification Number: 41201
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed February 8, 2011, on behalf of Mercer County Community College ("MCCC"). MCCC requests special temporary authority ("STA") to operate Station WWCJ with temporary facilities.¹ In support of the request, MCCC states that it is losing the licensed site as of February 20, 2011. MCCC states that it has located a new site and that it will be filing a minor change application to relocate the transmitter. In the interim, in order to keep the station on the air, MCCC proposes operation from the new site with a one-bay antenna. MCCC 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 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 complies with the foregoing criteria.

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

Geographic coordinates:	39° 07' 32" N, 74° 49' 27" W (NAD 1927)
Channel	206 (89.1 MHz)
Effective radiated power:	0.228 kilowatt (H&V)
Antenna type:	Nondirectional
Antenna height:	

¹ WWCJ is licensed for operation on Channel 206B1 (89.1 MHz) with effective radiated power of 15 kilowatts (Max-DA, H&V) and antenna height above average terrain of 94 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.

above ground:	78 meters
above mean sea level:	83 meters
above average terrain:	80 meters

It is anticipated that an application for construction permit will be filed prior to the expiration date below. MCCC 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. The authority granted herein is without prejudice as to any future application for construction permit. Any construction undertaken pursuant to this authority is entirely at MCCC's own risk.

This authority expires on **August 9, 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,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Mercer County Community College