

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

March 9, 2011

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

Re: Iron City Radio, LLC
W270BW(FX), Birmingham, Alabama
Facility Identification Number: 148321
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed March 7, 2011, on behalf of Iron City Radio, LLC ("ICR"). ICR requests special temporary authority ("STA") to operate FM Translator W270BW with temporary facilities.¹ In support of the request, ICR states that the licensed antenna system has failed. ICR requests STA for operation from the licensed tower with a new antenna and transmission line. ICR provides technical data for the proposed STA operation. ICR further states that it has concurrently filed a request for permanent modification of the station's facilities.²

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(2) provides that FM and TV stations may erect any suitable radiator, or use operable sections of the authorized antenna(s) as an emergency antenna. Our review indicates that the proposed STA operation is not likely to result in interference to any other station.

Accordingly, the request for STA IS HEREBY GRANTED. Station W270BW may operate with the following facilities:

Geographic coordinates:	33° 29' 02" N, 86° 48' 21" W (NAD 1927)
Channel	271 (102.1 MHz)
Effective radiated power:	0.085 kilowatt (H&V)
Antenna height:	
above ground:	258 meters

¹ W270BW is licensed for operation on Channel 271D (102.1 MHz) with effective radiated power of 0.228 kilowatt (H&V) and antenna height above average terrain of 224 meters.

² BPFT-20110304ACC

above mean sea level: 537 meters
above average terrain: 343 meters

ICR 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 **September 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,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a stylized flourish at the end.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Iron City Radio, LLC