

**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/](http://www.fcc.gov/mb/audio/)

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

May 20, 2011

Denise B. Moline, Esq.  
358 Pines Boulevard  
Lake Villa, Illinois 60046

Re: M&S WNTD, LLC  
WNTD (AM), Chicago, Illinois  
Facility Identification Number: 6589  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed May 16, 2011, on behalf of M&S WNTD, LLC ("M&S"). M&S requests special temporary authority ("STA") to operate Station WNTD with temporary facilities.<sup>1</sup> In support of the request, M&S states that Station WNTD must cease operation from its daytime site during repair work which is planned for the building that houses the daytime transmitter. M&S requests STA for operation during daytime hours from its licensed nighttime site, with reduced power of 500 watts. M&S provides an engineering showing that the proposed STA 0.5 mV/m contour will not exceed the licensed daytime contour.<sup>2</sup>

Accordingly, the request for STA IS HEREBY GRANTED. Station WNTD may operate during daytime hours with its licensed nighttime antenna system, with reduced nominal power not to exceed 0.5 kilowatt, as necessary to facilitate the planned repair work at the daytime site. It will be necessary to further reduce power or cease operation if complaints of interference are received. M&S must notify the Commission when licensed operation is restored. M&S 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 **August 20, 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

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<sup>1</sup> WNTD is licensed for operation on 950 kHz with 1 kilowatt daytime and 5 kilowatts nighttime, employing separate daytime and nighttime transmitter sites and with a directional antenna during nighttime hours only (DA-N-U).

<sup>2</sup> Identical STAs were granted in 2008 and 2010.

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: M&S WNTD, LLC