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**FEDERAL COMMUNICATIONS COMMISSION**  
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**WASHINGTON DC 20554**

**MEDIA BUREAU**  
**AUDIO DIVISION**  
**APPLICATION STATUS:** (202) 418-2730  
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May 27, 2011

Dennis J. Kelly, Esq.  
Box 41177  
Washington, DC 20018

Re: West Virginia-Virginia Media, LLC  
WKQB(FM), Pocahontas, Virginia  
Facility Identification Number: 52864  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed May 23, 2011, on behalf of West Virginia-Virginia Media, LLC ("WVM"). WVM requests special temporary authority ("STA") to operate Station WKQB with temporary facilities.<sup>1</sup> In support of the request, WVM states that, in the course of constructing modified facilities for Station WKQB as authorized by Construction Permit BPH-20080219AST, it discovered that the geographic coordinates of the authorized tower were in error. WVM further states that it was not possible to mount its antenna at the authorized height above ground level, and that the construction crew mounted the antenna 21 meters below the authorized height. WVM states that it has filed Application BMPH-20110523AFU to correct these discrepancies. WVM requests STA for operation with the "as built" facilities, but with reduced power, pending the processing of its application.

We note that Application BLH-20110523AFW, for license to cover the proposed, modified construction permit, is on file. Thus, the permit facilities will be considered as the "licensed" facilities for STA purposes and the proposed operation complies with our STA policies.

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

Geographic coordinates:	37° 13' 12" N, 81° 15' 20" W (NAD 1927)
Channel	275 (102.9 MHz)
Effective radiated power:	0.1 kilowatt (H&V)
Antenna height:	
above ground:	108 meters
above mean sea level:	1266 meters
above average terrain:	442 meters

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<sup>1</sup> WKQB is licensed to Welch, West Virginia, for operation on Channel 275A (102.9 MHz) with effective radiated power ("ERP") of 1.8 kW (H&V) and antenna height above average terrain ("HAAT") of 129 meters. Construction Permit BPH-20080219AST authorizes relocation of the station to Pocahontas, Virginia; relocation of the transmitter and operation with ERP of 0.1 kW and HAAT of 463 meters. Application BMPH-20110523AFU proposes correction of the site coordinates, an increase in ERP to 0.11 kW and a decrease in HAAT to 442 meters.

WVM must notify the Commission when licensed operation is restored. WVM 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 the Commission's final action with regard to Application BMPH-20110523AFU. Any construction undertaken pursuant to this authority is entirely at WVM's own risk.

This authority expires on **November 27, 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: West Virginia-Virginia Media, LLC