

FEDERAL COMMUNICATIONS COMMISSION
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September 6, 2011

Gary S. Smithwick
Smithwick & Belendiuk, P.C.
5028 Wisconsin Ave. NW Suite 301
Washington, DC 20016

Re: Saga Communications, Inc.
WNAX (AM), Yankton, SD
Facility Identification Number: 57846
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed August 24, 2011, on behalf of Saga Communications, Inc. ("Saga"). Saga requests special temporary authority ("STA") to operate Station WNAX with a temporary nondirectional antenna at night and with reduced antenna efficiency during the day.¹ In support of the request, Saga states that the installation of the antenna for FM translator station W260BO on tower 1 of the nighttime array, and associated modifications, will prevent use of the nighttime directional antenna system. In addition, Saga indicates that it will need to move its daytime nondirectional antenna operation temporarily from tower 1 to tower 2, which is shorter.²

Our review indicates that the proposed STA operation complies with the technical provisions of Section 73.1615, which governs operation during modification of facilities.

Accordingly, the request for STA IS HEREBY GRANTED. Station WNAX may operate with the normal nondirectional power of 5 kW during the day using tower 2. Operation with a temporary nondirectional antenna and reduced power not to exceed 1.25 kW nighttime also is authorized, only as necessary to facilitate the repair work. It will be necessary to further reduce power or cease operation if complaints of interference are received. Saga must notify the Commission when licensed operation is restored.³ Saga 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.

¹ WNAX is licensed for operation on 570 kHz with 5 kilowatts daytime and 5 kilowatts nighttime, employing a directional antenna at night (DA-N-U).

² Tower 1, which is normally used for WNAX's nondirectional daytime operation, is 190 electrical degrees tall at WNAX's frequency; tower 2 is 90 electrical degrees tall.

³ *See* 47 CFR §§ 73.45(c), 73.51, 73.61(b).

This authority expires on **March 4, 2012**.

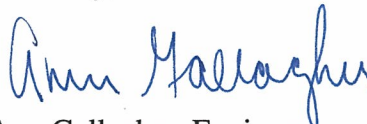
STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice 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,



Ann Gallagher, Engineer
Audio Division
Media Bureau

cc: Saga Communications, Inc.