

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

September 12, 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 September 2, 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 the current STA site has been vandalized and equipment removed; thus, it is necessary to relocate its STA operation to a more secure site. MCCC states that it holds a construction permit to relocate the transmitter, and that it is waiting for delivery of the authorized directional antenna. In the interim, MCCC requests STA for operation from the permit site with reduced power and antenna height.

Section 73.1615, which governs operation during modification of facilities, provides that licensees holding construction permits for modification of directional or nondirectional FM and TV or nondirectional AM facilities may discontinue operation, may operate with temporary facilities to maintain, as nearly as possible, but not exceed, the size of the currently licensed coverage area. Such operation may commence upon notification to the FCC, and may continue for a period not exceeding 30 days. Should it be necessary to continue such operation beyond 30 days, a request for STA must be filed prior to the 30th day. Our review indicates that the proposed STA operation complies with the provisions of Section 73.1615.

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

Geographic coordinates:	39° 07' 28" N, 74° 45' 56" W (NAD 1927)
Channel	206 (89.1 MHz)
Effective radiated power:	0.8 kilowatt (H&V)
Antenna type:	Nondirectional
Antenna height:	

¹ WWCJ is licensed for operation on Channel 206B1 (89.1 MHz) with effective radiated power ("ERP") of 15 kilowatts (Max-DA, H&V) and antenna height above average terrain ("HAAT") of 94 meters. Construction Permit BPED-20110502ACO authorizes relocation of the transmitter and operation with ERP of 10 kW(H), 15 kW(V), (Max-DA) and HAAT of 114 meters.

above ground:	82 meters
above mean sea level:	84 meters
above average terrain:	83 meters
ASRN	1046230

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.

This authority expires on **March 12, 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,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Mercer County Community College