

FEDERAL COMMUNICATIONS COMMISSION
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October 20, 2011

Ernest T. Sanchez, Esq.
2300 M Street NW, Suite 800
Washington, DC 20037

Re: Board of Education, City School District, Columbus
WCBE(FM), Columbus, Ohio
Facility Identification Number: 4325
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed October 19, 2011, on behalf of Board of Education, City School District, Columbus ("BOE"). BOE requests special temporary authority ("STA") to operate Station WCBE with temporary facilities.¹ In support of the request, BOE states that, due to building renovation at the licensed transmitter site, electricity to the building will be turned off on October 28 and 29, 2011. BOE requests STA for operation from a nearby alternative site for those two days in order to avoid an interruption of service.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service² to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area³ without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation complies with the foregoing criteria.

Accordingly, the request for STA IS HEREBY GRANTED. Station WCBE may operate with the following facilities, as necessary to maintain service during the planned power outage at the licensed site:

| | |
|---------------------------|---|
| Geographic coordinates: | 39° 58' 16" N, 83° 01' 40" W (NAD 1927) |
| Channel | 213 (90.5 MHz) |
| Effective radiated power: | 0.2 kilowatt (H&V) |
| Antenna height: | |
| above ground: | 137 meters |
| above mean sea level: | 356 meters |

¹ WCBE is licensed for operation on Channel 213B (90.5 MHz) with effective radiated power of 11 kilowatts (H&V) and antenna height above average terrain of 162 meters.

² For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

³ For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

above average terrain: 112 meters

BOE 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 **November 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 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: Board of Education, City School District, Columbus