

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET SW**  
**WASHINGTON DC 20554**

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October 28, 2011

Todd M. Stansbury, Esq.  
Wiley Rein LLP  
1776 K Street NW  
Washington, DC 20006

Re: American Public Media Group  
W270AD(FX), West Palm Beach, Florida  
Facility Identification Number: 68119  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed October 27, 2011, on behalf of American Public Media Group ("APM"). APM requests special temporary authority ("STA") to operate FM Translator W270AD with temporary facilities.<sup>1</sup> In support of the request, APM states that, it constructed the facility with a three-bay antenna; however, the issued license, File No. BLFT-20110815ABD, specified a two-bay antenna as had been indicated in the construction permit. APM states that it has filed a corrective application and requests STA for operation with the "as-built" facilities pending FCC action on the application.

Our review indicates that the proposed STA operation is not likely to cause interference to any station<sup>2</sup>.

Accordingly, the request for STA IS HEREBY GRANTED. Station W270AD may operate with the facilities proposed in Application BPFT-20111024AHQ. APM 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 **April 28, 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.

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<sup>1</sup> W255AS is licensed for operation on Channel 255D (98.9 MHz) with effective radiated power of 0.027 kilowatt (H&V) and antenna height above average terrain of 76 meters.

<sup>2</sup> Except for the transmitter output power and the number of antenna bays, the currently licensed, pending application and proposed STA facilities all are identical.

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,

A handwritten signature in blue ink, appearing to read "Charles N. Miller".

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: American Public Media Group