

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

January 25, 2012

Neil Hopper, Director of Operations
Immanuel Broadcasting Network
Box 1000
Cartersville, Georgia 30120

Re: Immanuel Broadcasting Network
W265AV(FX), Woodstock, Georgia
Facility Identification Number: 28332
Special Temporary Authority

Dear Mr. Hopper:

This is in reference to the request filed January 24, 2012, on behalf of Immanuel Broadcasting Network ("IBN"). IBN requests special temporary authority ("STA") to operate FM Translator W265AV with effective radiated power of 0.105 kilowatt.¹ In support of the request, IBN states that the requested power is necessary to resolve a complaint of interference filed by Tri-State Communications.

Our review indicates that the requested operating power represents a reduction from the facilities authorized by Construction Permit BPFT-20100823ABH (See Note 1, below); thus, interference to other stations is not likely to result from the proposed STA operation.

Accordingly, the request for STA IS HEREBY GRANTED. Station W265AV may operate with the facilities authorized by Construction Permit BPFT-20100823ABH, but with reduced effective radiated power not to exceed 0.105 kilowatt (H&V). IBN 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 **July 25, 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

¹ W265AV is licensed (BLFT-20020214AAB) for operation on Channel 265D (100.9 MHz) with effective radiated power of 0.007 kilowatt (H&V) and antenna height above average terrain of 265 meters. Construction Permit BPFT-20100823ABH authorizes an increase in ERP to 0.25 kilowatt and a decrease in HAAT to 259 meters. Application BLFT-20110824ABT, for license to cover the permit, was granted on September 21, 2011; however, following receipt of an interference complaint, grant of the license application was rescinded on September 27, 2011.

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: Gary S. Smithwick, Esq. (Counsel for Tri-State Communications)