

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET, SW
WASHINGTON, DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

PROCESSING ENGINEER: Susan N. Crawford
TELEPHONE: (202) 418-2754
GROUP FACSIMILE: (202) 418-1411
INTERNET ADDRESS: Susan.Crawford@fcc.gov

April 5, 2012

Susan A. Marshall, Esq.
Fletcher Heald & Hildreth, PLC
1300 North 17th Street
11th Floor
Arlington, VA 22209

Re: Weber State University
KWCR-FM, Ogden, Utah
Facility Identification Number 71394
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed April 2, 2012, on behalf of Weber State University ("WSU"). WSU requests special temporary authority ("STA") to operate Station KWCR-FM with temporary facilities.¹

In support of the request, WSU states that Station KWCR-FM faces imminent loss of its licensed transmitter site because the building on which the Station KWCR-FM facilities are located is being demolished in late April or early May 2012. Although WSU holds a Construction Permit ("CP")² to relocate Station KWCR-FM to a new transmitter site, WSU reports that it is not able to complete construction of the authorized Station KWCR-FM facilities nor place temporary facilities at the transmitter site specified in the CP before being forced off its licensed transmitter site. As a result, WSU is seeking authorization for temporary Station KWCR-FM facilities on an existing antenna structure.³

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 service⁴ to the licensed community; (3) STA facilities must maintain, as closely as practicable, the

¹ Station KWCR-FM is licensed (File No. BLED-19930903KA) for operation on Channel 201 (88.1 MHz) with effective radiated power of 2.00 kilowatts (H&V) and antenna height above average terrain of -96 meters.

² Station KWCR-FM is authorized (File No. BPED-20101004ACP) for operation on Channel 201 (88.1 MHz) with effective radiated power of 0.025 kilowatt (Max-DA, H&V) and antenna height above average terrain of 1,249 meters.

³ Antenna Structure Registration ("ASR") Number 1058818.

⁴ For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

licensed service area⁵ 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 KWCR-FM may operate with the following facilities:

Geographic coordinates:	41° 09' 57" N, 112° 00' 52" W (NAD 1927)
Channel	201 (88.1 MHz)
Effective radiated power:	0.200 kilowatt (H & V)
Antenna height:	
above ground:	24 meters
above mean sea level:	1,419 meters
above average terrain:	-23 meters.

Our review shows that the FCC ASR for the antenna structure proposed for use by Station KWCR-FM contains an affirmative FAA Electromagnetic Interference flag. Therefore, this authorization is subject to the following condition:

Upon receipt of notification from the Federal Aviation Administration that harmful interference is being caused to any of its facilities by the operation of the Station KWCR-FM facilities specified herein, WSU must either immediately cease operation, reduce power to the point where no interference results, or take whatever other corrective action is necessary to eliminate the harmful interference.

WSU 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. The authority granted herein is without prejudice as to the Commission's final action with regard to any subsequently filed application for construction permit. Any construction undertaken pursuant to this authority is entirely at WSU's own risk.

This authority expires on **October 2, 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.

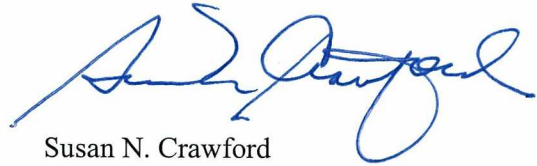
Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

⁵ For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

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,



Susan N. Crawford
Assistant Chief
Audio Division
Media Bureau

cc: Weber State University