

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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May 15, 2012

Efia Nwangaza, President and CEO
Malcolm X Grassroots Movement
321 West Antrim Drive
Greenville, South Carolina 29603

Re: Malcolm X Grassroots Movement
WMXP-LP, Greenville, South Carolina
Facility Identification Number: 132472
Special Temporary Authority

Dear Ms. Nwangaza:

This is in reference to the request filed May 14, 2012, on behalf of Malcolm X Grassroots Movement ("MGM"). MGM requests special temporary authority ("STA") to operate Station WMXP-LP with temporary facilities.¹ In support of the request, MGM states that Station WMXP-LP has lost the use of its licensed site and has been silent since May 20, 2011, and thus faces the loss of its license if it does not resume broadcasting on or before May 20, 2012. MGM further states that it is in the process of constructing modified WMXP-LP facilities authorized by Construction Permit BPL-20120113AEN; however, it has experienced a delay in delivery of the specialized reinforcing steel for the tower foundation. MGM requests STA for operation from the permit site with reduced antenna elevation, using one of the tower sections temporarily mounted on a building immediately adjacent to the site.

Our review indicates that the proposed STA operation complies with the technical provisions of Section 73.1615, which governs operation during modification of facilities, and that the proposed STA operation would not result in extension of the 60 dBu contour beyond the licensed contour.

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

Geographic coordinates:	34° 48' 30" N, 82° 22' 11" W (NAD 1927)
Channel	238 (95.5 MHz)
Effective radiated power:	Not to exceed 0.1 kilowatt (H&V)
Antenna height:	
above ground:	9 meters
above mean sea level:	266 meters
above average terrain:	-12 meters

¹ WMXP-LP is licensed for operation on Channel 238L1 (95.5 MHz) with effective radiated power ("ERP") of 0.086 kilowatt (H&V) and antenna height above average terrain ("HAAT") of 32 meters. Construction Permit BPL-20120113AEN authorizes relocation of the transmitter, a reduction in HAAT to 15 meters and an increase in ERP to 0.1 kilowatt.

It is anticipated that an application for license to cover Construction Permit BPL-20120113AEN will be filed prior to the expiration date below. MGM 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 15, 2012**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law upon twelve consecutive months of silence. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also Public Notice*, Expedited Processing of Applications Filed by Silent Stations, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

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: Malcolm X Grassroots Movement