

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

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August 16, 2012

Mark N. Lipp, Esq.
Wiley Rein LLP
1776 K Street NW
Washington, DC 20006

Re: Cumulus Licensing LLC
WXQW (AM), Fairhope, Alabama
Facility Identification Number: 2541
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed August 6, 2012, on behalf of Cumulus Licensing LLC ("Cumulus"). Cumulus requests further extension of the special temporary authority ("STA") granted on June 8, 2010, to operate Station WXQW with parameters at variance and/or reduced power while maintaining monitor points within licensed limits.¹ In support of the request, Cumulus states that the station's directional antenna system was damaged by a truck which backed into one of the guy anchors. Cumulus states that it has learned that its insurance company will not pay the cost of a replacement tower and that it is evaluating its options, including possible action against the truck owner.

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.

Our review indicates that 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. Thus, extension of STA is warranted.

¹ WXQW is licensed for operation on 660 kHz with 10 kilowatts daytime and 0.85 kilowatt nighttime, employing a directional antenna during nighttime hours only (DA-N-U).

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WXQW may continue to operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. Cumulus must notify the Commission when licensed operation is restored.² Cumulus 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 **February 16, 2013**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Cumulus Licensing LLC

² *See* 47 CFR §§ 73.45(c), 73.51, 73.61(b).