

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
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October 1, 2012

David Oxenford, Esq.
Wilkinson Barker Knauer LLP
2300 N Street NW, Suite 700
Washington DC 20037

Re: Educational Media Foundation
WGCQ(FM), Hayti, Missouri
Facility Identification Number: 64493
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed September 29, 2012, on behalf of Educational Media Foundation ("EMF"). EMF requests special temporary authority ("STA") to operate Station WGCQ with temporary facilities.¹

In support of the request, EMF states that it is in the process of implementing a transmitter site move as authorized by Construction Permit BPED-20120724AEI, and that the station currently is silent. EMF requests STA for operation from the permit site with reduced power in order to restore operation while it completes construction of the newly authorized facilities.

Section 73.1615, which governs operation during modification of facilities, provides that licensees holding construction permits for modification of directional or nondirectional FM and TV or nondirectional AM facilities may discontinue operation, may operate with temporary facilities to maintain, as nearly as possible, but not exceed, the size of the currently licensed coverage area. Such operation may commence upon notification to the FCC, and may continue for a period not exceeding 30 days. Should it be necessary to continue such operation beyond 30 days, a request for STA must be filed prior to the 30th day. Our review indicates that the proposed STA operation complies with Section 73.1615.

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

¹ WGCQ is licensed for operation on Channel 254A (98.7 MHz) with effective radiated power ("ERP") of 6 kilowatts (H&V) and antenna height above average terrain ("HAAT") of 67 meters. Construction Permit BPED-20120724AEI authorizes relocation of the transmitter, a reduction in ERP to 4.1 kW and an increase in HAAT to 89 meters.

Geographic coordinates:	36° 12' 50" N, 89° 41' 25" W (NAD 1927)
Channel	254 (98.7 MHz)
Effective radiated power:	0.2 kilowatt (H&V)
Antenna height:	
above ground:	84 meters
above mean sea level:	165 meters
above average terrain:	89 meters

EMF must notify the Commission when licensed operation is restored. EMF 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 1, 2013**.

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,

A handwritten signature in blue ink, appearing to read "Charles N. Miller". The signature is fluid and cursive, with the first name "Charles" being the most prominent part.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Educational Media Foundation