

FEDERAL COMMUNICATIONS COMMISSION
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January 17, 2013

Cary S. Tepper
Booth, Freret, Imlay and Tepper, P.C.
7900 Wisconsin Avenue, Suite 304
Bethesda, MD 20814-3628

Re: Villanova University
WXVU (FM), Villanova, PA
Facility Identification Number: 70229
Special Temporary Authority
BSTA-20130116AAI

Dear Mr. Tepper:

This is in reference to the request filed January 16, 2013, on behalf of Villanova University ("Villanova"). Villanova requests special temporary authority ("STA") to operate Station WVVU with emergency facilities, because on January 11, 2013, the WXVU antenna fell to the ground.¹ Villanova is presently awaiting the shipment and installation of a replacement antenna.

Under the circumstances present here, we find that an STA for temporary operation is warranted. Accordingly, the request for STA IS HEREBY GRANTED. Station WXVU may operate with the following facilities:

Geographic coordinates:	40° 01' 58" N, 75° 20' 15" W (NAD 1927)
Channel	206A (89.1 MHz)
Effective radiated power:	0.099 kilowatts (H&V)
Directional antenna:	CDBS Antenna ID 111542, 290° rotation
Antenna height:	
above ground:	19 meters
above mean sea level:	149 meters
Above average terrain:	72 meters

Villanova must notify the Commission by letter when licensed operation is restored. Villanova 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, and shall post signs at entrances to the roof which describe the nature of the hazard. See 47 CFR § 1.1310.

This authority expires on **July 17, 2013**.

¹ WXVU is licensed to operate with a directional antenna at an effective radiated power (ERP) of 0.10 kW at an antenna height above average terrain (HAAT) of 85 meters.

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.

Any request for extension of this authority must address these considerations.

Sincerely,



Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Villanova University