

FEDERAL COMMUNICATIONS COMMISSION
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April 4, 2013

Susan A. Marshall, Esq.
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209-3801

Re: MCL/MCM Alabama, LLC
WATV (AM), Birmingham, Alabama
Facility Identification Number: 5356
Special Temporary Authority
BESTA - 20130307ABW

Dear Ms. Marshall:

This is in reference to the request filed March 7, 2013, on behalf of MCL/MCM Alabama, LLC ("MMA"). MMA requests further extension of the special temporary authority ("STA") originally granted on May 27, 2011, and last extended on August 20, 2012, to operate Station WATV with emergency antenna facilities pursuant to Section 73.1680, following destruction of the licensed tower by a tornado.¹ In support of the request, MMA states that a replacement tower has been ordered and delivered to a local warehouse and the station has been told that the tower company plans to deliver and stage materials within the next few weeks, with a tentative start date of March 25th. Construction and the station's return to normal operation had been scheduled to begin earlier, but was delayed due to weather and other conditions. The Commission will be advised when the tower has been reconstructed and the necessary equipment has been installed on the tower and appropriately tested in order to enable the station to resume normal operation. In the meantime, MMA hereby requests an extension of the station's special temporary authority which permits operation with its emergency antenna facilities.

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

¹ WATV is licensed for operation on 900 kHz with 0.845 kilowatt daytime and 0.158 kilowatt nighttime, employing a nondirectional antenna (ND-2-U).

- 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 the licensee has made progress toward restoration of licensed operation, but additional time is required for completing the work. Thus, extension of STA is warranted.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WATV may continue to operate with an emergency long wire antenna. It will be necessary to further reduce power or cease operation if complaints of interference are received. MMA must notify the Commission when licensed operation is restored.² MMA 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. We note that the previous STA expired on February 20, 2013, therefore in light of the lapse of time between the expiration of the prior STA and the filing of the instant request, it will be considered as a request for a new STA. The authority granted herein does not cover the period between February 20, 2013, and March 6, 2013, and is without prejudice as to whatever action the Commission may take with respect to operation of Station WATV during the foregoing period.

This authority expires on **October 4, 2013**.

Sincerely,



Jimmy Kong, Engineer
Audio Division
Media Bureau

cc: MCL/MCM Alabama, LLC

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