

FEDERAL COMMUNICATIONS COMMISSION
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August 7, 2013

Howard M. Weiss, Esq.
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209-3801

Re: WVNA(AM), Tuscumbia, Alabama
Facility Identification Number: 19457
Urban Radio Licenses, LLC
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed August 1, 2013, on behalf of Urban Radio Licenses, LLC ("URL"). URL requests special temporary authority ("STA") to operate Station WVNA with temporary facilities.¹ Station WVNA was authorized by STA extension (BESTA-20121128ABZ) to operate from a temporary site because it lost its lease and access to its licensed site. The STA extension expired on July 8, 2013, and WVNA is requesting the same facilities that were proposed in the expired extension request. In support of its STA request, URC states that it has been unable to construct permanent facilities due to severe financial difficulties which it hopes to overcome during the next six months.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service² to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area³ without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed daytime STA operation complies with the foregoing criteria. The proposed nighttime power of 2 kilowatts exceeds the value permitted by Section 73.1680, which governs emergency antenna operation; however, if the nighttime power is reduced to 0.25 kilowatt, the proposed operation would comply with the rules.

Accordingly, the request for STA IS HEREBY GRANTED, with a nighttime power reduction as discussed above. Station WVNA may operate with the following facilities:

¹ WVNA is licensed for operation on 1590 kHz with 5 kilowatts daytime and 1 kilowatt nighttime, employing a directional antenna during nighttime hours only (DA-N-U).

² For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

³ For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Geographic coordinates:	34° 40' 27" N, 87° 42' 48" W (NAD 1927)
Frequency:	1590 kHz
Hours of operation:	Unlimited
Operating power:	Not to exceed 2 kW daytime, 0.25 kW nighttime
Antenna type	Existing FM tower with vertical wire feed
Radiator height:	87.8° (46 meters)
Antenna efficiency:	288.6 mV/m/km/kW
Overall height	46 meters

It is noted that we expect WVNA will be filing an application for construction permit (FCC Form 301) within the next six months for a new permanent site location.

It will be necessary to reduce power or cease operation if complaints of interference are received. URC 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 extension expired on July 8, 2013. Our review indicates that the circumstances presented warrant grant of STA in order to provide for service to the public. However, in light of the lapse of time between the expiration of the prior STA extension and the filing of the instant request, the authority granted will not cover the period between the expiration of the prior STA extension and the filing of the instant request.

This authority expires on **February 3, 2014**.

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 that reads "Jerome J. Manarchuck". The signature is written in a cursive style with a large initial "J".

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Urban Radio Licenses, LLC