

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

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

ENGINEER: Dale Bickel
TELEPHONE: (202) 418-2706
FACSIMILE: (202) 418-1410
E-MAIL: dale.bickel@fcc.gov

September 17, 2013

Robert Stone
Ramsey, Elmore, Stone & Caffey, PLLC
5616 Kingston Pike, Suite 301
Knoxville, TN 37919-6301

Re: W284AW (FX), Gatlinburg, TN
Oak Ridge FM, Inc.
Facility Identification Number: 144875
Special Temporary Authority
BSTA-20130912AAD

Dear Counsel:

This is in reference to the request filed September 12, 2013, on behalf of Oak Ridge FM, Inc. ("Oak Ridge"). Oak Ridge indicates that the station's transmitter site lease was cancelled, necessitating a site move.¹ At the present time, the station has been silent since September 20, 2012, and must resume operation **no later than September 19, 2013** to avoid automatic cancellation of the station's license pursuant to Section 312(g) of the Communications Act.² Oak Ridge's STA request asks for authority for a second temporary operation, at a transmitter site different than the licensed site, to accomplish this result.

An STA for temporary facilities IS GRANTED. W284AW may operate with the following facilities:

Geographic coordinates:	35° 42' 13" N, 83° 33' 57" W (NAD 1927)
Channel	284D (104.7 MHz)
Effective radiated power:	0.0025 kilowatt (H&V)
Antenna height:	
above ground:	10 meters
above mean sea level:	985 meters
above average terrain:	290 meters

¹ This occurred in 2012 (see BSTA-20120315AAT). The station was granted an STA for temporary facilities on March 19, 2012. The translator went silent on September 20, 2012 (see BLSTA-20120925ATX). Oak Ridge holds construction permit BPFT-20121114AEC for a change in the translator station's channel, community of license, and transmitter site.

² As a matter of law, and under Section 312(g) of the Communications Act, a silent station must resume operation within one year of falling silent, or the license is automatically forfeited. Thus W284AW must resume operation on or before September 19, 2013 in order to preserve the station's license.

On the same date that W284AW commences operations pursuant to this STA, the licensee (or its representative) shall confirm the start of STA operations via an e-mail to Dale Bickel, dale.bickel@fcc.gov.

Oak Ridge must use whatever means are necessary to protect workers and the public from radiofrequency exposure in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310.

This authority expires on March 16, 2014.

We remind the licensee that the station's license will expire as a matter of law upon twelve consecutive months of silence [ending **September 19, 2013**], notwithstanding the grant of the present STA. 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). Please be aware that unauthorized operations – operations with facilities not authorized by a current STA or license – do not count as a resumption of operations within one year for the purposes of Section 312(g) of the Communications Act, and cannot be used to avoid the consequences of Section 312(g). See *A-O Broadcasting Corporation*, FCC 08-10, 23 FCC Rcd 603, released January 8, 2008.

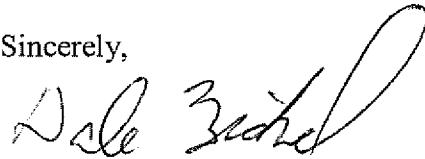
STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice 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 black ink, appearing to read "Dale Bickel". The signature is fluid and cursive, with a large loop at the end.

Dale Bickel,
Senior Engineer
Audio Division
Media Bureau

cc: Oak Ridge FM, Inc.

Oak Ridge FM, Inc.
8081 Kingston Pike, Suite 100
Knoxville, TN 37919