

**FEDERAL COMMUNICATIONS COMMISSION**  
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November 8, 2013

Edward A. Shober, Chief Executive Manager  
Winchester Radio Broadcasters, LLC  
PO Box 367  
Haddon Heights, New Jersey 08035

Re: WXVA(AM), Winchester, VA  
Facility Identification Number: 4668  
Winchester Radio Broadcasters, LLC  
Special Temporary Authorization

Dear Mr. Shober:

This is in reference to the request filed October 31, 2013, on behalf of Winchester Radio Broadcasters, LLC ("WRB"). WRB requests special temporary authority ("STA") to operate the nighttime operation of station WXVA(AM) with temporary facilities.<sup>1</sup> In support of the request, WRB states that station WXVA(AM) was transferred to WRB on March 1, 2011 as a silent AM radio station without studio, transmitter location or significant equipment. Since acquiring WXVA(AM), WRB restored operation of the station by establishing a new transmitter and studio location, and was issued a new license (BL-20111129GCP) for day facilities for WXVA(AM). However, the licensed night antenna is no longer available for operation and WRB has continued its search for alternate night transmitter sites or duplexing opportunities. Unfortunately, according to WRB, securing an AM tower site that can serve Winchester at night has been extremely difficult. Thus, WRB seeks STA for non-directional nighttime operation employing WXVA(AM)'s daytime antenna at reduced power.

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 service<sup>2</sup> to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area<sup>3</sup> 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 STA operation complies with the foregoing criteria.

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<sup>1</sup> WXVA(AM) is licensed for operation on 610 kHz with 0.38 kilowatt daytime and 0.5 kilowatt nighttime, employing a directional antenna pattern at night at a different transmitter site (DA-N).

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

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

Accordingly, the request for STA IS HEREBY GRANTED. Station WXVA(AM) may operate with the following facilities:

Geographic coordinates	39° 07' 26" N, 78° 12' 44" W (NAD 1927)
Frequency	610 KHz
Hours of operation	Nighttime hours only <sup>4</sup>
Operating power	Not to exceed 0.125 kW
Antenna type	Existing tower with folded unipole feed
Radiator height	57.3° (78.2 meters)
Overall height	79.7 meters
ASRN	1025561
Antenna efficiency	284 mV/m/km/kW

It will be necessary to further reduce power or cease operation if complaints of interference are received. WRB 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. In addition, in light of the lapse of time between expiration of the prior STA extension and the filing of the instant request; the authority granted will not cover the period between expiration of the prior STA and the filing of the instant request.

This authority expires on **May 6, 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:

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<sup>4</sup> Daytime operation will be conducted pursuant to License BL-20111129GCP. Operation between 6:00 a.m. and local sunrise may be conducted pursuant to the Pre-Sunrise Authority issued on December 27, 2011.

- 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,



Jerome J. Manarchuck  
Audio Division  
Media Bureau

cc: Winchester Radio Broadcasters, LLC