

FEDERAL COMMUNICATIONS COMMISSION
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November 27, 2013

Charles L. Spencer
Herbert, Spencer, Cusimano & Fry, LLP
701 Laurel Street
Baton Rouge, LA 70808-5692

Re: WJRL-FM, Slocomb, AL
Alabama Media, LLC
Facility Identification Number: 60591
Special Temporary Authority
BSTA-20131029AGS

Dear Counsel:

This is in reference to the request filed October 29, 2013, on behalf of Alabama Media, LLC ("AM"). Briefly, AM advises that its lease at the licensed transmitter site was about to expire; that its modification application BPH-20130508ABB has been stalled while the FAA considers its proposal; that it has sought and received city approval for the tower sought therein. The site sought in the STA is immediately available for use by WJRL-FM.

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 service¹ to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area² without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

In the present case, the STA operation would not satisfy Item #2 in the previous paragraph, in that the 60 dBu (1 mV/m) contour of the STA facility would not cover any part of Slocomb, AL. But in this instance, we conclude that the STA operation is preferable to WJRL-FM going silent. Therefore, the request for STA IS **HEREBY GRANTED**. Station WJRL-FM may operate with the following facilities:

| | |
|---------------------------|---|
| Geographic coordinates: | 31° 15' 48" N, 85° 18' 24" W (NAD 1927) |
| Channel | 263 (100.5 MHz) |
| Effective radiated power: | 1.2 kilowatts (H only) |
| Antenna height: | |
| above ground: | 85.3 meters |
| above mean sea level: | 166.3 meters |
| above average terrain: | 84.4 meters |

¹ For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m (60 dBu).

² For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

AM 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 **May 26, 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,



Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Alabama Media, LLC