

**FEDERAL COMMUNICATIONS COMMISSION**  
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February 18, 2014

John S. Neely, Esq.  
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Suite 203  
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Kensington, Maryland 20895

Re: WBOW(AM), Terre Haute, IN  
Facility Identification Number: 65242  
Midwest Communications, Inc.  
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed February 11, 2014, on behalf of Midwest Communications, Inc. ("MCI"). MCI requests special temporary authority ("STA") to operate station WBOW(AM) with temporary facilities.<sup>1</sup> In support of the request, MCI states that WBOW(AM) is presently operating with significantly reduced facilities under authority of BESTA-20140108ABG due to losing the lease on the station's licensed tower site. However, WBOW(AM) is now proposing a new STA to increase its STA coverage area from an alternate site.

MCI seeks STA for non-directional daytime and nighttime operation from an alternate site. Specifically MCI requests operation with a daytime power of 0.35 kilowatt and a nighttime power of 0.058 kilowatt.

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

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<sup>1</sup> WBOW(AM) is licensed for operation on 1300 kHz with 0.5 kilowatt daytime and 0.075 kilowatt nighttime, employing a non-directional antenna pattern (ND1-U).

<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.

indicates that the proposed STA operation complies with the foregoing criteria, except for slight extensions of daytime and nighttime coverage. However, the proposed STA facility is not predicted to cause prohibited interference.

Accordingly, the request for STA IS HEREBY GRANTED and the current STA extension BESTA-20140108ABG IS HEREBY DISMISSED. Station WBOW(AM) may operate with the following facilities:

Geographic coordinates	39° 29' 21" N, 87° 25' 10" W (NAD 1927)
Frequency	1300 KHz
Hours of operation	Unlimited
Operating power	Not to exceed 0.35 kW daytime/0.058 kW nighttime
Antenna type	Existing tower
Radiator height	121° (77.5 meters)
Overall height	84.7 meters
ASRN	1029490
Antenna efficiency	325.8 mV/m/km/kW

It will be necessary to further reduce power or cease operation if complaints of interference are received. MCI 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.

This authority expires on **August 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:

- 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: Midwest Communications, Inc.