

FEDERAL COMMUNICATIONS COMMISSION
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March 21, 2014

Donald Martin
Donald E. Martin, P.C.
P.O. Box 8433
Falls Church, Virginia 22041

Re: Family Talk Radio
WSJC (AM), Magee, Mississippi
Facility Identification Number: 74003
Special Temporary Authority

Dear Mr. Martin:

This is in reference to the request filed February 5, 2014, on behalf of Family Talk Radio ("FTR"). FTR requests an extension of the special temporary authority ("STA") that was granted to WSJC(AM) but expired on June 3, 2013. The STA was for station WSJC(AM) to operate with the licensed daytime antenna system at a reduced power of 1 kilowatt during daytime hours.¹ Since WSJC(AM)'s STA (BSTA-20130529AHC) has already expired, the instant request will be treated as a request for new STA rather than an extension.

In support of the request, FTR states that an STA is necessitated due to transmitter issues that remain a chronic problem and forced the station off the air. Despite efforts to update and repair the station's facilities, the licensee is still unable to operate the station with its full authorized facilities. Therefore, the licensee requests an STA for the same reduced facilities that were authorized in BSTA-20121129BNX.

Section 73.1560(d), which governs reduced power operation, states:

In the event it becomes technically impossible to operate at authorized power, a broadcast station may operate at reduced power for a period of not more than 30 days without specific authority from the FCC. If operation at reduced power will exceed 10 consecutive days, notification must be made to the FCC in Washington, DC, Attention: Audio Division (radio) or Video Division (television), Media Bureau, not later than the 10th day of the lower power operation. In the event that normal power is restored within the 30 day period, the licensee must notify the FCC of the date that normal operation was restored. If causes beyond the control of the licensee prevent restoration of the authorized power within 30 days, a request for Special Temporary Authority (see Section 73.1635) must be made to the FCC in Washington, DC for additional time as may be necessary.

Accordingly, the request for STA IS HEREBY GRANTED. Station WSJC(AM) may operate with reduced daytime power and no nighttime operation. It will be necessary to further reduce power or cease operation if complaints of interference are received. FTR must notify the Commission when licensed operation is restored.² FTR 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

¹ WSJC(AM) is licensed for operation on 810 kHz with a nondirectional daytime power of 50 kilowatts, and a nighttime directional power of 0.5 kilowatt (DAN-U).

² See 47 CFR §§ 73.45(c), 73.51, 73.61(b).

guidelines. *See* 47 CFR § 1.1310. 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 and the filing of the instant request, the authority granted will not cover the period from June 3, 2013 to present and is without prejudice as to whatever action the Commission may take with respect to operation of station WSJC(AM) during the foregoing period.

This authority expires on **September 17, 2014**.

In addition, if WSJC(AM) expects to obtain future STA extensions, FTR will need to show that substantial progress has been made toward restoring the station to full authorized facilities. Complete details of the efforts to obtain an alternate transmitter or the steps taken to repair the existing transmitter will be expected to be provided.


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: Family Talk Radio