

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: Jerome J. Manarchuck
TELEPHONE: (202) 418-7226
FACSIMILE: (202) 418-1410
E-MAIL: Jerome.Manarchuck@fcc.gov

April 22, 2014

Richard F. Swift, Esq.
Fletcher Heald & Hildreth, P.L.C.
1300 N. 17th Street 11th Floor
Arlington, VA 22209

Re: WPW Broadcasting, Inc.
KCLN(AM), Clinton, IA
Facility Identification Number: 33055
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed April 10, 2014, on behalf of WPW Broadcasting, Inc. ("WBI"). WBI requests special temporary authority ("STA") to operate station KCLN(AM) with emergency antenna facilities pursuant to Section 73.1680.¹ In support of the request, WBI states that a vehicle made contact with one of the guy wires supporting tower #2 of the array, resulting in collapse of the tower. Therefore, WBI requests STA to operate nondirectionally both daytime and nighttime employing tower #1 of the array. Specifically, station KCLN(AM) requests non-directional operation with a daytime power of 250 watts, which is 25% of the station's licensed daytime power. However, during nighttime hours, station KCLN(AM) requests operation with a nondirectional power of 35 watts which exceeds 25% of the station's licensed nighttime power.

Section 73.1680 of the Commission's rules provide for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(1) provides that AM stations using an emergency nondirectional antenna in lieu of authorized directional facilities shall operate with power reduced to 25 percent or less of the nominal license power, or a higher power, not exceeding licensed power, while insuring that the radiated field strength does not exceed that authorized in any given azimuth.

Accordingly, the request for STA IS HEREBY GRANTED. Station KCLN(AM) may operate nondirectionally from tower #1 of the array. KCLN(AM) may operate with a daytime nondirectional power of 250 watts and a nighttime power of 35 watts. Although the proposed radiated field strength will exceed the authorized along several azimuths, no impermissible interference is predicted.

¹ KCLN(AM) is licensed for operation on 1390 kHz with a daytime power of 1 kilowatt and a nighttime power of 0.091 kilowatt, employing different directional antenna patterns (DA2-U).

Therefore, allowing station KCLN(AM) to operate temporary at these nondirectional power levels is in the public interest. It will be necessary to further reduce power or cease operation if complaints of interference are received. WBI must notify the Commission when licensed operation is restored.² WBI 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 **October 19, 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: WPW Broadcasting, Inc.

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