

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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May 16, 2014

Mark N. Lipp, Esq.
Wiley Rein LLP
1776 K Street NW
Washington, DC 20006

Re: Cumulus Licensing LLC (Cumulus)
WXQW (AM), Fairhope, Alabama
Facility Identification Number: 2541
Special Temporary Authority (STA)
BESTA- 20140417ABU

Dear Mr. Lipp:

This is in reference to the request filed on April 17, 2014. Cumulus requests a seventh extension of the STA originally granted on June 8, 2010, to operate Station WXQW with parameters at variance and/or reduced power while maintaining monitor points within licensed limits due to a tower damaged by a truck.¹ In support of the request, Cumulus states in the past six months Cumulus has not yet determined the best way to resolve the situation.

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.

We noted that Cumulus did not provide any new information to indicate that substantial progress had been made during the past six months towards restoration of licensed operations (such as replacing the damaged tower). As a result, we will grant an extension for a reduced period of time, but to avoid a possible cancellation of the STA we recommend that Cumulus replace the tower soon so that an acceptable FCC Form 302 application can be filed before the expiration date shown below, or submit other steps the licensee has made towards resumption of licensed

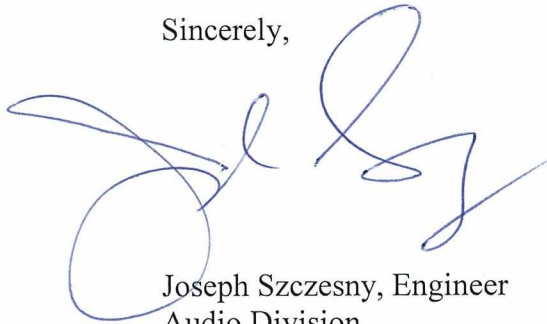
¹ WXQW is licensed for operation on 660 kHz with 10 kW day (ND) and 0.85 kW night (DA).

operations (such as filing an FCC Form 301 application to eliminate use of the damaged tower).

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WXQW may continue to operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. Cumulus must notify the Commission when licensed operation is restored.² Cumulus 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 16, 2014**.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Szczesny', is written over the typed name.

Joseph Szczesny, Engineer
Audio Division
Media Bureau

cc: John W. Dickey, Executive VP, Cumulus

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