

FEDERAL COMMUNICATIONS COMMISSION
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July 2, 2014

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

Re: WZHF(AM), Arlington, VA
Facility Identification Number: 73306
Way Broadcasting Licensee, LLC
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed June 25, 2014, on behalf of Way Broadcasting Licensee, LLC ("WBL"). WBL requests special temporary authority ("STA") to operate station WZHF(AM) from the site identified in its present construction permit (CP) authorization, file number (BP-20131223AFI), using one of existing towers for temporary non-directional operation.¹ In support of its STA request, WBL states that after more than two decades, the lease for the present WZHF(AM) transmitter site in Falls Church, Virginia ends on July 28, 2014. The station has a CP to relocate to a new multi-user facility under construction at the current transmitter location of station WJFK(AM). Construction of the new facility has been subject to unexpected delays related to late equipment delivery and inclement weather. Thus, WZHF(AM) does not expect it will be able to complete the necessary work in order to receive program test authority on or before the end of its current lease term. Specifically, WZHF(AM) requests daytime and nighttime operation from the CP site employing one of the existing towers for a temporary non-directional operation at reduced power. A daytime power of 0.25 kilowatt and a nighttime power of 0.037 kilowatt is requested.

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 service² to the licensed community; (3) STA facilities must maintain, as closely as

¹ WZHF(AM) is licensed for operation on 1390 kHz with a daytime and nighttime power of 5 kilowatts, employing different directional antenna patterns during daytime and nighttime hours (DA2-U).

² For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

practicable, the licensed service area³ without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation would not provide nighttime service to the licensed community and the STA facility would slightly extend daytime coverage beyond the licensed 0.5 mV/m contour. However, under the circumstances presented, it is believed that an STA is warranted in order for WZHF(AM) to continue serving its listening public.

Accordingly, the request for STA IS HEREBY GRANTED. Station WZHF(AM) may operate with the following facilities:

Geographic coordinates	38° 52' 09.8" N, 76° 53' 47.9" W (NAD 1927)
Frequency	1390 KHz
Hours of operation	Daytime and Nighttime
Operating power	Not to exceed 0.25 kW daytime, 0.037 kW nighttime
Antenna type	Existing tower (ASRN: 1292059)
Overall height	48.5 meters

It will be necessary to further reduce power or cease operation if complaints of interference are received. WBL 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 **December 29, 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.

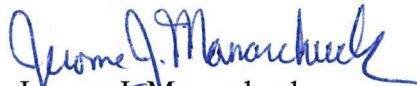
Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

³ For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

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: Way Broadcasting Licensee, LLC