## 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

December 18, 2014

John W. Zucker, Esq. Radio Disney Group, LLC 77 West 66<sup>th</sup> St., 16<sup>th</sup> Floor New York, NY 10023-6298

> Re: Radio Disney Group, LLC WFDF(AM), Farmington Hills, MI Facility Identification Number: 13664 Special Temporary Authority

Dear Counsel:

This is in reference to the request filed December 17, 2014 on behalf of Radio Disney Group, LLC ("Radio Disney"). Radio Disney requests special temporary authority ("STA") to operate station WTKA(AM) with parameters at variance from license values and/or reduced power while maintaining monitor points within license limits.<sup>1</sup>

In support of the request, Radio Disney states that monitor points have gone above limit on both the day and night patterns, with parameters appearing to remain within tolerance, necessitating a power reduction. Until the problem can be adequately researched and resolved, WFDF(AM) requests STA to operate with reduced power and/or parameters at variance.

Accordingly, the request for STA IS HEREBY GRANTED. Station WTKA(AM) may operate with parameters at variance from licensed values 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. Radio Disney 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 June 16, 2015.

**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

<sup>&</sup>lt;sup>1</sup> WFDF(AM) is licensed for operation on 910 kHz with a daytime power of 50 kilowatts and a nighttime power of 25 kilowatts, employing different directional antenna patterns during daytime and nighttime hours (DAD-U).

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,

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Jerome J. Manarchuck Audio Division Media Bureau

cc: Radio Disney Group, LLC