

**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/](http://www.fcc.gov/mb/audio/)

**ENGINEER:** Dale Bickel  
**TELEPHONE:** (202) 418-2706  
**FACSIMILE:** (202) 418-1410  
**E-MAIL:** [dale.bickel@fcc.gov](mailto:dale.bickel@fcc.gov)

January 6, 2015

Ms. Amy Helms  
Radio-Wise, Inc.  
4050 Middle Avenue  
Sarasota, FL 34234

Re: WNVA-FM Norton, VA  
Radio-Wise, Inc.  
Facility Identification Number: 54886  
Special Temporary Authority ("STA")  
BSTA-20141120ADA

Dear Ms. Helms:

This is in reference to the request filed November 20, 2014, on behalf of Radio-Wise, Inc. ("Radio-Wise"). Radio-Wise requests special temporary authority ("STA") to operate station WNVA-FM with temporary facilities, until the licensee can locate a permanent transmitter site. This station went silent on August 14, 2014.<sup>1</sup> Cumulus must return KSTB to operating status **no later than August 14, 2015** to avoid automatic cancellation of the station's license pursuant to Section 312(g) of the Communications Act.

As detailed in the STA request, Radio-Wise no longer has access to the licensed transmitter site of WNVA-FM. This STA request seeks to resume temporary operation from an existing tower approximately 8.3 km south of the licensed transmitter site, using a directional antenna. The filing explains that the STA 60 dBu contour is mostly encompassed by the licensed 60 dBu service contour except for a small area to the southward which is said to be mountainous and sparsely populated. The STA 60 dBu contour would encompass Norton, VA, the community of license.

We find that the STA request merits approval, provided that the ERP is limited to **0.180 kW** (corresponding to the maximum ERP allowed for a Class A station at 551 meters HAAT). Accordingly, STA IS GRANTED to permit WNVA-FM to be operated with the following parameters:

---

<sup>1</sup> WNVA-FM went silent on August 14, 2014 because of "financial difficulties", and has been granted Special Temporary Authority to remain silent (BSTA-20140813ACG, granted by letter dated September 5, 2014).

Geographic coordinates:	36° 53' 51" N, 82° 37' 22" W (NAD 27)
Channel	292A (106.3 MHz)
Effective radiated power:	<b>0.180 kilowatts</b> (H only), directional
Antenna:	Scala directional antenna, main lobe oriented at 22° True
Antenna height:	
above ground:	22 meters
above mean sea level:	1293 meters
above average terrain:	551 meters (determined using 8 radials)

On the same date that WNVA-FM commences operations pursuant to this STA, the licensee (or its representative) shall confirm the start of STA operations via an e-mail to Dale Bickel, [dale.bickel@fcc.gov](mailto:dale.bickel@fcc.gov). This date will be entered into the Commission's CDBS database to indicate that the station has resumed broadcasting.

WNVA-FM must use whatever means are necessary to protect workers and the public from radiofrequency exposure in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310.

**This authority expires on July 5, 2015.** This STA does not imply approval of this site for permanent operation of WNVA-FM.

We remind the licensee that the station's license will expire as a matter of law upon twelve consecutive months of silence [**ending August 14, 2015**], notwithstanding the grant of the present STA. See Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and Order, Silent Station Authorizations, FCC 96-218 (released May 17, 1996). See also Public Notice, *Expedited Processing of Applications Filed by Silent Stations*, DA 96-818 (May 22, 1996). Please be aware that unauthorized operations – operations with facilities not authorized by a current STA or license – do not count as a resumption of operations within one year for the purposes of Section 312(g) of the Communications Act, and cannot be used to avoid the consequences of Section 312(g). See *A-O Broadcasting Corporation*, FCC 08-10, 23 FCC Rcd 603, released January 8, 2008.

-----

**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,

A handwritten signature in dark ink, appearing to read "Dale Bickel", written in a cursive style.

Dale Bickel  
Senior Engineer  
Audio Division  
Media Bureau

cc: Roger Bouldin (via e-mail only)