

FEDERAL COMMUNICATIONS COMMISSION
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January 29, 2015

Fort Myers Broadcasting Company
2824 Palm Beach Boulevard
Fort Myers, FL 33916

Re: WTLQ-FM, Punta Rassa, FL
Fort Myers Broadcasting Company
Facility Identification Number: 28901
Special Temporary Authority
BSTA-20150120AHP

Dear Licensee:

This is in reference to your request filed January 20, 2015 on behalf of Fort Myers Broadcasting Company ("FMBC"). FMBC requests special temporary authority ("STA") to operate WTLQ-FM with temporary facilities on an adjacent tower, to facilitate tower work while maintaining safety at the licensed site.

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 service¹ to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area² without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review finds that the STA request satisfies these criteria.

Accordingly, the request for STA IS HEREBY GRANTED. Station WTLQ-FM may operate with the following facilities, as needed to accommodate the tower work:

Geographic coordinates:	26° 29' 16" N, 81° 55' 46" W (NAD 1927)
Channel	249C3 (97.7 MHz)
Effective radiated power:	6.7 kilowatt (H&V) nondirectional
Antenna height:	
above ground:	113 meters
above mean sea level:	114 meters
above average terrain:	114 meters
Antenna Structure Registration No:	1043720

¹ For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

² For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

FMBC 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. FMBC must advise the Commission when the tower work is complete.

This authority expires on May 1, 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 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,



Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Joseph Belisle (via e-mail only)