

FEDERAL COMMUNICATIONS COMMISSION
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February 10, 2015

Dennis J. Kelly, Esq.
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Re: PSI Communications, LLC
WPUL(AM), South Daytona, Florida
Facility Identification Number: 53704
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed January 27, 2015, on behalf of PSI Communications, LLC ("PSI"). PSI requests special temporary authority ("STA") to operate station WPUL(AM) with temporary facilities.¹ The station went silent on February 18, 2014 as the station was in need of repair. The broadcast license for Station WPUL(AM) will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m., February 19, 2015. Therefore, the station is requesting STA to operate from an alternate site location.

Specifically, WPUL(AM) proposes to temporarily relocate to a site located approximately 5.3 kilometers (3.3 miles) north of the licensed site. The station proposes to operate non-directionally from an existing tower with a daytime power of 250 watts and a nighttime power of 32 watts.

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 service 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.

Accordingly, the request for STA is GRANTED. Station WPUL(AM) may operate from the proposed site with a daytime non-directional power of 250 watts and a nighttime power of 32 watts.

Station WPUL(AM) may operate with the following facilities:

¹ WPUL(AM) is licensed for operation on 1590 kHz with a daytime power of 1 kilowatt and a nighttime power of 0.32 kilowatt, employing a non-directional antenna pattern (ND2-U).

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

Geographic coordinates	29° 12' 07" N, 81° 01' 29" W (NAD 1927)
Frequency	1590 KHz
Hours of operation	Unlimited
Operating power	250 watts daytime, 32 watts nighttime
Antenna type	Existing 24 meter tower
Antenna efficiency	Unknown

It will be necessary to further reduce power or cease operation if complaints of interference are received. WPUL(AM) must notify the Commission when licensed operation is restored. WPUL(AM) 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 9, 2015**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law if broadcast operations do not commence by 12:01 a.m., February 19, 2015. *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). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

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,


Jerome J. Manarchuck
Audio Division
Media Bureau

cc: PSI Communications, LLC