

**FEDERAL COMMUNICATIONS COMMISSION**  
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**WASHINGTON DC 20554**

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April 23, 2015

Ms. Mindy Cohen  
Albright College  
13<sup>th</sup> and Bern Street  
P.O. Box 15234  
Reading, PA 19612

Re: WXAC (FM), Reading, PA  
Albright College  
Facility Identification Number: 880  
Special Temporary Authority  
BSTA-20150415AAQ

Dear Ms. Cohen:

This is in reference to the request filed April 15, 2015 on behalf of Albright College. Albright College requests Special Temporary Authority (“STA”) to operate WXAC with temporary facilities at a new tower site, since the licensed site is no longer available to WXAC. It is proposed to move to a tower 0.98 km distant that is located on the college’s campus. A construction permit application will be filed soon to make this site change permanent.

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<sup>1</sup> to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area<sup>2</sup> 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 proposed STA 60 dBu service contour will extend beyond the licensed 60 dBu service contour toward the north. However, a reduction in effective radiated power (ERP) from 0.21 kW to 0.15 kW will maintain the STA 60 dBu contour within the licensed 60 dBu contour, with the exception of a few small extensions to the west and northwest caused by the effects of local terrain. Therefore, we will approve this STA with the ERP limited to 0.15 kW.<sup>3</sup>

In addition, our analysis shows that the proposed tower site fails slope calculations with respect to a local airport. However, Google Earth shows the tower at the requested location, and from

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

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

<sup>3</sup> This limitation does not preclude WXAC from applying for higher ERP in a construction permit application.

the Federal Aviation Administration website, it appears that the tower was approved in FAA Study No. 1993-AEA-2276-OE.<sup>4</sup> Under current Commission practice, this tower should be registered with the FCC (at <http://wireless.fcc.gov/antenna/index.htm?job=home> ) since it did require FAA clearance, even if no painting or lighting requirements are specified. Doing this now will avoid delay in the processing of the incoming construction permit application.

Accordingly, the request for STA IS HEREBY GRANTED. Station WXAC may operate with the following facilities on the existing tower structure:

Geographic coordinates:	40° 22' 09" N, 75° 54' 26" W (NAD 1927)
Channel	217A (91.3 MHz)
Effective radiated power:	0.15 kilowatt (H) -- ERP is limited to this value
Antenna height:	
above ground:	20 meters
above mean sea level:	149 meters
above average terrain:	12 meters

Albright College 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 **October 20, 2015**.

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**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:

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<sup>4</sup> See <https://oeaaa.faa.gov/oeaaa/external/searchAction.jsp?action=displayOECCase&oeCaseID=98063&row=10> .

- 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: Charles Hecht (via e-mail only)