

FEDERAL COMMUNICATIONS COMMISSION
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May 6, 2015

Whiplash Radio, LLC
24 Angela Drive
Palm Coast, FL 15601

Re: Whiplash Radio, LLC
WYCL(AM), Niles, OH
Facility Identification Number: 73308
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed May 1, 2015, on behalf of Whiplash Radio, LLC ("WRL"). WRL requests special temporary authority ("STA") to operate station WYCL(AM) with emergency antenna facilities pursuant to 73.1680.¹ In support of the request, WRL states that as a result of vandalism to the WYCL(AM) licensed daytime directional antenna system antenna tuning units, as well as other damage, the station seeks STA to operate non-directionally from the center tower of its directional array. Specifically, the station proposes to operate daytime only with a non-directional power of 0.125 kilowatt, which is 25% of the station's licensed daytime power.

Station WYCL(AM) is currently silent (BLSTA-20140826AAZ) and therefore the station needs to commence broadcast operations by 12:01 a.m., August 17, 2015 or the station's broadcast license will expire as a matter of law. WRL states that grant of the STA is in the public interest as it will allow the facility to resume broadcasting to its community.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(1) provides that AM stations using an emergency nondirectional antenna in lieu of authorized directional facilities shall operate with power reduced to 25 percent or less of the nominal licensed power, or a higher power, not exceeding licensed power, while insuring that the radiated field strength does not exceed that authorized in any given azimuth.

Accordingly, the request for STA IS HEREBY GRANTED. Station WYCL(AM) may operate

¹ WYCL(AM) is licensed for operation on 1540 kHz with 0.5 kilowatt daytime only, employing a directional antenna pattern (DAD-D).

during daytime hours with an emergency nondirectional antenna and reduced power not to exceed 0.125 kilowatt. It will be necessary to further reduce power or cease operation if complaints of interference are received. WRL 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 **November 2, 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., August 17, 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: Chris Lash (via email only)