

FEDERAL COMMUNICATIONS COMMISSION
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September 17, 2015

West Virginia Educational Broadcasting Authority
600 Capitol Street
Charleston, WV 25301-1223

Re: WVWS (FM), Webster Springs, WV
West Virginia Educational Broadcasting Authority
Facility Identification Number: 176879
Special Temporary Authority
BSTA-20150901AAR

Dear Licensee:

This is in reference to the request filed September 1, 2015, on behalf of West Virginia Educational Broadcasting Authority ("WVEBA"). For the reasons set forth in the STA request, WVEBA requests Special Temporary Authority to operate a temporary facility from a different tower in order to maintain station operations.

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 concludes that the proposed STA facilities satisfies these criteria.

Accordingly, the request for STA IS HEREBY GRANTED. Station WVWS may operate with the following facilities:

Geographic coordinates:	38° 35' 46.4" N, 80° 23' 54.4" W (NAD 1927)
Channel	207A (89.3 MHz)
Effective radiated power:	0.135 kilowatts (H&V)
Antenna height:	
above ground:	73 meters
above mean sea level:	870 meters
above average terrain:	248 meters
Antenna structure registration no.:	1274614

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.

WVEBA 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 **March 16, 2016**.

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: Tom W. Davidson (via e-mail only)