

FEDERAL COMMUNICATIONS COMMISSION
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October 8, 2015

A Radio Company, Inc.
P.O. Box 6537
Caguas, PR 00726

Re: A Radio Company, Inc.
WEGA(AM), Vega Baja, Puerto Rico
Facility Identification Number: 69853
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed October 2, 2015, on behalf of A Radio Company, Inc. ("ARC"). ARC requests special temporary authority ("STA") to operate station WEGA(AM) with emergency antenna facilities pursuant to Section 73.1680.¹ In support of the request, ARC states that during the term of its previous STA, the licensee was unable to return the facilities to licensed operation. The station subsequently suffered an equipment malfunction that caused the station to go off the air on November 10, 2014. The station expected to go back on the air in June of this year, but vandals tore down and stole the one tower the station was operating with and also took associated electrical panels.

The station is now requesting STA to operate with an emergency non-directional antenna and reduced power not to exceed 0.625 kilowatt so that the station can resume broadcast operations before its license expires at 12:01 a.m., November 11, 2015. This emergency antenna facility was previously granted in BSTA-20120515ABJ.

Section 73.1680 of the Commission's rules provide for operation with emergency antenna facilities following damage to authorized antenna systems, 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% 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 WEGA(AM) may operate with an emergency non-directional antenna and with a reduced power not to exceed 0.625 kilowatt. It will be necessary to further reduce or cease operation if complaints of interference

¹ WEGA(AM) is licensed for operation on 1350 kHz with 2.5 kilowatts daytime and 2.5 kilowatts nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U).

are received. ARC must notify the Commission when licensed operation is restored.² ARC 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 **April 6, 2016**.

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., November 11, 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

² *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).

- 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: John Wells King, Esq. (via email only)