

**FEDERAL COMMUNICATIONS COMMISSION**  
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April 20, 2007

David G. O'Neil, Esq.  
Rini Coran, PC  
1615 L Street, N.W. Suite 1325  
Washington, D.C. 20036

Re: Vox Communications Group, LLC  
WBEC (AM), Pittsfield, Massachusetts  
Facility Identification Number: 2714  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed April 6, 2007, on behalf of Vox Communications Group, LLC ("VCG"). VCG requests special temporary authority ("STA") to operate Station WBEC with parameters at variance and/or reduced power while maintaining monitor points within licensed limits.<sup>1</sup> In support of the request, VCG states that the station's antenna system has been damaged by flooding, and that it will be unable to assess the extent of the damage until the water subsides.

Accordingly, the request for STA IS HEREBY GRANTED. Station WBEC may operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. VCG must notify the Commission when licensed operation is restored.<sup>2</sup> VCG 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 **October 20, 2007**.

**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

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<sup>1</sup> WBEC is licensed for operation on 1420 kHz with 1 kilowatt daytime and 1 kilowatt nighttime, employing a directional antenna during nighttime hours only (DA-N-U).

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

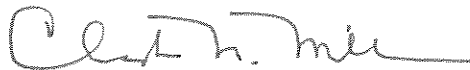
of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in 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,



Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Vox Communications Group, LLC