

**FEDERAL COMMUNICATIONS COMMISSION
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**MEDIA BUREAU
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July 28, 2016

Vermont Public Radio
365 Troy Avenue
Colchester, VT 05446

Re: WVTX (FM), Colchester, VT
Vermont Public Radio
Facility Identification Number: 58598
Special Temporary Authority
BSTA-20160720AAO

Dear Licensee:

This is in reference to your request filed July 20, 2016. You request special temporary authority (“STA”) to operate Station WVTX (formerly WWPV-FM) with temporary facilities. The licensed transmitter site is not available, and a construction permit application (BPED-20160615ABD) for the new location must await FAA clearance for the tower and antenna structure registration before it can be granted. The temporary STA will permit the station to resume operation from the existing tower and serve its community of license until the construction permit can be granted. And Vermont Public Radio must return WVTX to operating status **no later than September 15, 2016** to avoid automatic cancellation of the station’s license pursuant to Section 312(g) of the Communications Act.

Under the circumstances, we conclude that an STA for the temporary facilities requested is warranted, and the STA IS GRANTED. We expect that WVTX shall continue the temporary operation authorized herein, through the term of this STA period until the licensee implements permanent operations at some authorized location. Extension requests for this STA may be granted by the staff if circumstances warrant.

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

Geographic coordinates:	44° 30’ 28.2” N, 73° 09’ 4.7” W (NAD 1927)
Channel	204A (88.7 MHz)
Effective radiated power:	0.1 kilowatt (H&V)
Antenna height:	
above ground:	23 meters
above mean sea level:	120 meters
above average terrain:	20 meters

On the same date that WVTX commences operations pursuant to this STA, the licensee (or its representative) shall confirm the start of STA operations via an e-mail to Dale Bickel, dale.bickel@fcc.gov. This date will be entered into the Commission's CDBS database to indicate that the station has resumed broadcasting. Vermont Public radio must also file a Notice of Resumption of Operations in the CDBS electronic filing system.

Vermont Public Radio 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 January 24, 2017.

We remind the licensee that the station's license will expire as a matter of law upon twelve consecutive months of silence [**ending September 15, 2016**], notwithstanding the grant of the present STA. 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). Please be aware that unauthorized operations – operations with facilities not authorized by a current STA or license – do not count as a resumption of operations within one year for the purposes of Section 312(g) of the Communications Act, and cannot be used to avoid the consequences of Section 312(g). See *A-O Broadcasting Corporation*, FCC 08-10, 23 FCC Rcd 603, released January 8, 2008.

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,

A handwritten signature in black ink that reads "Dale Bickel". The signature is written in a cursive style with a large initial "D" and a long, sweeping underline.

Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: John Crigler (via e-mail only)