FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/media/radio/audio-division

ENGINEER: Jerome J. Manarchuck
TELEPHONE: (202) 418-7226
FACSIMILE: (202) 418-1410
E-MAIL: jerome.manarchuck@fcc.gov

July 29, 2016

Fort Myers Broadcasting Company
2824 Palm Beach Boulevard
Fort Myers, FL 33916

Re: Fort Myers Broadcasting Company
WJUA(AM), Pine Island Center, Florida
Facility Identification Number: 48329
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed July 20, 2016, on behalf of Fort Myers Broadcasting Company ("FMBC"). FMBC requests special temporary authority ("STA") to operate station WJUA(AM) during daytime hours with emergency antenna facilities pursuant to Section 73.1680.[1] In support of the request, FMBC states that the station is experiencing a problem which appears to be a failure in the daytime directional array control logic which necessitates operation with an STA during the interim period while the problem is resolved. Specifically, WJUA(AM) is requesting STA to operate non-directionally during daytime hours from tower #2 of the station's nighttime array. A reduced power of 10 kilowatts is proposed.

In addition, WJUA(AM) has been authorized by STA (BESTA-20160105AAF) to operate during nighttime hours as modified using an increased power of 2.2 kW and the nighttime pattern facilities authorized by BMML-20120410AEL to overcome co-channel Cuban interference. That STA extension expires today and so FMBC separately filed for an extension (BESTA-20160726ABW) of the modified nighttime facility.

Section 73.1680 of the Commission's rules provides 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 percent or less of the nominal licensed power, or a higher power, not exceeding licensed power, while

[1] WJUA(AM) is licensed for operation on 1200 kHz with a daytime power of 50 kilowatts and a nighttime power of 1 kilowatt, employing different directional antenna patterns (DA2-U).

insuring that the radiated field strength does not exceed that authorized in any given azimuth.

Our review indicates that the request for daytime operation with emergency antenna facilities complies with Section 73.1680. Additionally, the engineering consultant for FMBC states that Cuban operations were monitored in the Florida Keys on July 23, 2016 and they continue to be a source of interference to the WJUA(AM) service area, therefore we feel extension of the modified nighttime facility is warranted.

Accordingly, the request for STA IS HEREBY GRANTED and BESTA-20160726ABW HAS BEEN DISMISSED AS MOOT. Station WJUA(AM) may operate daytime from tower #2 of nighttime array with a reduced power of 10 kilowatts. During nighttime hours WJUA(AM) may continue to operate with 2.2 kW, employing three of the licensed daytime towers with parameters as indicated in the attached specifications. This authority is subject to termination upon reduction of power or cessation of operation by the Cuban station or upon Commission instruction to FMBC, at which time Station WJUA(AM) must return to the currently licensed 1 kW nighttime operation.

It will be necessary to further reduce power or cease operation if complaints of interference are received. FMBC must notify the Commission when licensed operation is restored.[2] FMBC 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 **January 25, 2017**.

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;

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

- 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

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Joseph Belisle, Esq. (via email)

SPECIAL TEMPORARY AUTHORITY Revised 11/1/2012
SPECIFICATIONS FOR NIGHTTIME OPERATION OF
WJUA (AM), Pine Island Center, FL (Facility ID # 48329)

Frequency: 1200 kHz Nominal Power: 2.20 kW Antenna Input Power: 2.38 kW
Common Point Current: 6.89 Amperes Common Point Resistance: 50 ohms

Description of Directional Antenna System:

Geographic coordinates: (center of array)	26° 42' 52" N, 82° 02' 46" W (NAD 1927)
Number and Type of Elements:	Three vertical, guyed, series-excited steel radiators of uniform cross section.
Theoretical RMS:	318.7 mV/m/km
Standard RMS:	334.9 mV/m/km
Q factor:	12.1 mV/m
Height above Insulators:	59.4 meters (85.6°)
Overall Height:	60.3 meters
Spacing and Orientation:	Towers are spaced 60° on a line bearing 130° True.
Ground System:	120 copper wire radials, each 62.5 m in length, except where terminated at the property boundary or where bonded to a copper strap midway between adjacent towers.

Theoretical Specifications:

Tower:	#1 (NW)	#2 (C)	#3 (SE)
Phasing:	0.0°	-123.3°	113.5°
Field Ratio:	1.0	2.0	1.0

Operating Parameters*

Phase:	121.1°	0.0°	-128.2°
Current Ratio:	0.568	1.00	0.467

*As indicated by Potomac Instruments AM-19 (204) antenna Monitor.
FMBC shall perform measurements as described in Section 73.155 at least once every 24 months.