## 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

November 18, 2016

La Promesa Foundation 1406 E. Garden Lane Midland, TX 79701

Re: La Promesa Foundation

WDWR(AM), Pensacola, FL

Facility Identification Number: 21773

Special Temporary Authority

## Dear Applicant:

This is in reference to the request filed November 14, 2016, on behalf of La Promesa Foundation ("LPF"). LPF requests special temporary authority ("STA") to operate station WDWR(AM) with emergency antenna facilities. In support of the request, LPF states that due to vandalism which destroyed the unipole feed system, and also theft of the copper ground system about the tower base, station WDWR(AM) requests STA to temporarily operate with an emergency wire antenna.

Specifically, WDWR(AM) requests an STA to construct a long wire emergency antenna at its existing licensed site. The horizontal wire will be suspended at a height of 20 feet above ground from the transmitter building to the tower, a distance of 145 feet. The radiator length at 1230 kHz is 65.3 electrical degrees. WDWR(AM) proposes to operate daytime and nighttime with a reduced power of 250 watts.

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 filled with the Commission within 24 hours. In particular, Section 73.1680(b)(1) states that AM stations may use a horizontal or vertical wire or a nondirectional vertical element of a directional antenna as an emergency antenna. AM stations using an emergency nondirectional antenna or a horizontal or vertical wire pursuant to this section, in lieu or 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

<sup>&</sup>lt;sup>1</sup> WDWR(AM) is licensed for operation on 1230 kHz with a daytime and nighttime power of 1 kilowatt, employing a non-directional antenna pattern (ND1-U).

insuring that the radiated field strength does not exceed that authorized in any given azimuth for the corresponding hours of directional operation.

Accordingly, the request for STA is GRANTED. Station WDWR(AM) may operate with the following facilities:

Geographic coordinates

30° 25′ 57″ N, 87° 13′ 07″ W (NAD 1927)

Frequency

1230 KHz

Hours of operation

Daytime and nighttime

Operating power

0.25 kilowatt

Antenna type

Emergency horizontal long wire antenna (145 feet)

Electrical length

65.3°

It will be necessary to further reduce power or cease operation if complaints of interference are received. WDWR(AM) must notify the Commission when licensed operation is restored. WDWR(AM) 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.

Additionally, LPF has informed the Commission that it plans to prepare an application for construction permit within the next couple of weeks. This application should address the tower height issue that resulted in the dismissal of WDWR(AM)'s application for direct measurement of power (BZ-20150715ABZ). Therefore, this STA is only being issued for 90 days as we expect LPF to file an application for construction permit before the STA expires.

This authority expires on February 16, 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;
- 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

Audio Division Media Bureau

cc: Dennis J. Kelly (via email only)