

FEDERAL COMMUNICATIONS COMMISSION
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February 3, 2017

Vance Patterson
4950 Canterbury Place
Morganton, NC 28655

Re: Vance Patterson
WSVM(AM), Valdese, NC
Facility Identification Number: 32392
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed January 23, 2017, on behalf of Vance Patterson ("VP"). VP requests special temporary authority ("STA") to operate station WSVM(AM) from an alternate site location with emergency antenna facilities.¹ In support of the request, VP states that operation from the temporary site is necessary due to the loss of the station's licensed site. Station WSVM(AM) has been silent since April 15, 2016 and therefore the station's license will automatically expire as a matter of law if broadcast operations do not resume by 12:01a.m., April 16, 2017. Thus, WSVM(AM) requests STA to operate with an emergency wire antenna from a temporary location.

Specifically, WSVM(AM) requests daytime and nighttime operation from a site located 1 kilometer away from the licensed WSVM(AM) site. The station proposes to operate with a 210 foot long wire cable (1/4") and a reduced power of 500 watts. The long wire will be supported by two wooden utility poles 30 feet above ground level

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area² without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

¹ WSVM(AM) is licensed for operation on 1490 kHz with a power of 1 kilowatt (unlimited hours), employing a non-directional antenna pattern (ND1-U).

² For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

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

Geographic coordinates	35° 44' 17" N, 81° 33' 26" W (NAD 1927)
Frequency	1490 KHz
Hours of operation	Unlimited
Operating power	0.5 kilowatt (daytime and nighttime)
Antenna type	210 foot long wire antenna
Antenna height above ground	Wire strung between poles 30 feet above ground level

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

This authority expires on **August 2, 2017**.

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., April 16, 2017. 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
- 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: Coe W. Ramsey, Esq. (via email only)