

**FEDERAL COMMUNICATIONS COMMISSION**  
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August 13, 2007

Denise B. Moline, Esq.  
358 Pines Boulevard  
Lake Villa, Illinois 60046

Re: St. Gabriel Radio, Inc.  
WUCO (AM), Marysville, Ohio  
Facility Identification Number: 29636  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed August 7, 2007, on behalf of St. Gabriel Radio, Inc. ("SGR"). SGR requests special temporary authority ("STA") to operate Station WUCO with temporary facilities.<sup>1</sup> In support of the request, SGR states that the licensed daytime directional antenna is not operating properly and must be refurbished. SGR further states that, although operation with a nondirectional antenna and reduced power would be permissible under the existing STA rules, switching between directional and nondirectional modes is a manual process, which would be extremely difficult to perform on a twice-daily basis. SGR requests STA for operation with the licensed nighttime pattern during daytime hours.

Our review indicates that the proposed STA operation would result in extensive impermissible contour overlap with cochannel Station WILE, Cambridge, Ohio. However, if the operating power is reduced to 125 watts, the impermissible overlap would be significantly reduced. STA will be granted with a power reduction to 125 watts. It also is likely that the need may arise to operate with a nondirectional antenna during the course of the repair work; STA will be granted for both modes of operation, to allow for contingencies which may arise.

Accordingly, the request for STA IS HEREBY GRANTED, with modification as discussed above. Station WUCO may operate during daytime hours with the licensed nighttime directional pattern, **with reduced nominal power not to exceed 125 watts**, as necessary to facilitate the repair work. Operation during daytime and/or nighttime hours with a temporary nondirectional antenna and reduced power not to exceed 125 watts also is authorized, as necessary to facilitate the repair work. It will be necessary to further reduce power or cease operation if complaints of interference are received. SGR must notify the Commission when licensed operation is restored.<sup>2</sup>

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<sup>1</sup> WUCO is licensed for operation on 1270 kHz with 0.5 kilowatt daytime and 0.5 kilowatt nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U).

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

SGR 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 **February 13, 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,



Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: St. Gabriel Radio, Inc.  
William G. Ball