

**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](http://www.fcc.gov/media/radio/audio-division)

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September 20, 2017

321 Corporation  
P.O. Box 560989  
Rockledge, FL 32956

Re: 321 Corporation  
WKQK(AM), Cocoa Beach, Florida  
Facility Identification Number: 55005  
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed September 18, 2017, on behalf 321 Corporation. 321 Corporation requests special temporary authority ("STA") to operate station WKQK(AM) with parameters at variance from its licensed facilities.<sup>1</sup> Specifically, 321 Corporation requests that station WKQK(AM) be allowed to operate during nighttime hours employing the station's daytime pattern and with reduced power.

In support of the request, WKQK(AM) states that during Hurricane Irma the station's west tower came down. Therefore, the station requests STA to operate during nighttime hours with the stations two tower daytime array. A reduced nighttime power of 0.25 kilowatt is also requested.

Accordingly, the request for STA IS HEREBY GRANTED. Station WKQK(AM) may operate during nighttime hours with the stations daytime pattern and with the nighttime power reduced to 0.25 kilowatt. No changes are proposed to the daytime operation. It will be necessary to further reduce power or cease operation if complaints of interference are received. 321 Corporation must notify the Commission when licensed operation is restored.<sup>2</sup> WKQK(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 **March 19, 2018**.

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<sup>1</sup> WKQK(AM) is licensed for operation on 1300 kHz with a daytime power of 5 kilowatts and a nighttime power of 1 kilowatt, employing different directional antenna patterns (DA2-U).

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

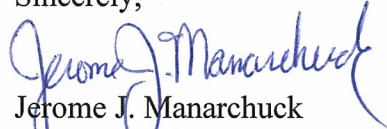
**STA Advisory:** Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice 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: Cary S. Tepper, Esq. (via email only)