

**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

October 23, 2017

WLTH Radio, Inc.
487 Broadway, Suite 102
Gary, IN 46402

Re: WLTH Radio, Inc.
WLTH(AM), Gary, Indiana
Facility Identification Number: 38402
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed October 11, 2017, on behalf of WLTH Radio, Inc. ("WRI"). WRI requests special temporary authority ("STA") to operate station WLTH(AM) non-directionally during nighttime hours from the station's daytime site location.¹ The daytime and nighttime sites are located 3.8 kilometers apart.

In support of the request, WRI states that WLTH(AM)'s RF feed lines, sample lines, AC control cables and transmitter were stolen, leaving the nighttime array inoperable. Therefore, until the nighttime directional array can be repaired, WLTH(AM) requests an STA to operate non-directionally at night from the daytime tower site and with the nighttime power reduced to 125 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 filed 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 non-directional vertical element of a directional antenna as an emergency antenna. AM stations using an emergency non-directional antenna or a horizontal or vertical wire pursuant to this section, in lieu of 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 insuring that the radiated field strength does not exceed that authorized in any given azimuth for the corresponding hours of directional operation.

¹ WLTH(AM) is licensed for operation on 1370 kHz with a daytime power of 1 kilowatt and a nighttime power of 0.5 kilowatt, employing a directional antenna pattern at night (DAN-U).

Accordingly, the request for STA IS HEREBY GRANTED. Specifically, WLTH(AM) may operate non-directionally at night from its licensed daytime site and with its nighttime power reduced to 125 watts. No changes to the daytime operation were requested. It will be necessary to further reduce or cease operation if complaints of interference are received. WRI 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 **April 21, 2018**.

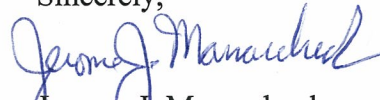
STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice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