

FEDERAL COMMUNICATIONS COMMISSION
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March 27, 2008

Mark Lipp, Esq.
Wiley Rein LLP
1776 K Street NW
Washington, DC 20006

Re: Black Media Works, Inc.
WJFP(FM), Fort Pierce, Florida
Facility Identification Number: 5488
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed March 26, 2008, on behalf of Black Media Works, Inc. ("BMW"). BMW requests special temporary authority ("STA") to operate Station WJFP with temporary facilities.¹ In support of the request, BMW states that it lost the lease for the licensed site due to a transfer of control of the tower owner. BMW states that it holds Construction Permit BPED-19990727IA, to relocate the transmitter site; however, the facilities authorized by the permit cannot be constructed until an existing analog TV transmitting antenna is removed from the site after February, 2009². BMW seeks STA for operation from the permit site with reduced power and antenna height.

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 service³ to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area⁴ without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation complies with the foregoing criteria.

Accordingly, the request for STA IS HEREBY GRANTED. Station WJFP may operate with the following facilities:

¹ WJFP is licensed for operation on Channel 216A (91.1 MHz) with effective radiated power ("ERP") of 6 kilowatts (H&V) and antenna height above average terrain ("HAAT") of 48 meters. Construction Permit BPED-19990727IA authorizes relocation of the transmitter, an upgrade to Class C1, and operation with ERP of 100 kW (Max-DA, H&V) and HAAT of 125 meters.

² Although BMW requests STA until such time as the analog TV antenna is removed, the duration of an STA is limited by statute to a maximum of 180 days. Thus, it will be necessary for BMW to request one or more extensions of this authority.

³ For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

⁴ For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Geographic coordinates:	27° 26' 7" N, 80° 21' 41" W (NAD 1927)
Channel	216 (91.1 MHz)
Effective radiated power:	0.75 kilowatt (H&V)
Antenna height:	
above ground:	116 meters
above mean sea level:	121 meters
Above average terrain:	119 meters

BMWI 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 **September 27, 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: Black Media Works, Inc.