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December 20, 2018

Mr. Ed Czelada
Michigan Community Radio
3302 N. Van Dyke Road
Imlay City, MI 48444

Re: W248CC (FX), Ecorse, MI
Michigan Community Radio ("MCR")
Facility Identification Number: 157285
Special Temporary Authority
BSTA-20181218ABM

Dear Mr. Czelada:

This is in reference to the request filed December 20, 2018 for special temporary authority (STA) for FM translator W248CC, seeking the use of reduced temporary facilities. The STA request provides no reason as to why this STA is necessary.

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." We do not find that extraordinary circumstances exist here.

Review of W248CC's license application and operating parameters, shows that the directional antenna pattern (authorized in the modification of construction permit BMPFT-20160128BEE) was carefully crafted to avoid placing the 34 dBu interfering contour over any Canadian land area. This facility remained unbuilt and was not on the air when MCR filed a subsequent modification application (file number BMPFT-20180718AGJ) seeking "displacement" from Channel 248 to Channel 256 because of interference that would be received from a recently licensed cochannel Canadian station, CBEW-FM. By letter dated February 23, 2018, the staff dismissed this application, noting that the displacement application procedures do not apply to unbuilt/unlicensed facilities. MCR did not appeal that decision.

MCR then proceeded to complete construction – knowing of the interference problem – and on April 3, 2018, filed license application BLFT-20180403ABC. That application was unopposed and was granted April 27, 2018. Presumably this facility continues to operate as licensed – despite the severe received interference -- as there is nothing in the record to the contrary.¹

¹ On July 31, 2018, MCR filed a new minor change application seeking "displacement" to Channel 256, this time for its newly licensed facility. That application was dismissed by letter dated September 21, 2018, pointing out that CBEW-FM had been on the air since 2014 [before W248CC's April 2018 on air date]. MCR has timely filed a petition for reconsideration with amendment on October 26, 2018, which is under review.

With this background in place, we consider the December 18, 2018 STA request. There is nothing in that filing to explain a need for the proposed temporary facility, and we fail to see what the licensee could gain by it. For the STA operation would continue to receive severe interference from CBEW-FM, although over a much smaller service area.²

It is clear that the present situation is partly of MCR's own making, and that there are no extraordinary circumstances here. Translators are and have always been secondary services, and get no protection from interference received from full service FM stations. It happens sometimes that translators are left without alternatives. W248CC is no different, and as the staff's September 21, 2018 letter inferred, this translator has been subject to interference received since the day it started operation. The STA filing does not change that. Accordingly, the STA request IS DISMISSED.

Sincerely,



Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Ed Czelada (via e-mail)

² It would seem that W248CC could obtain much the same result by reducing the effective radiated power of its licensed facility. We point out too that the proposed STA site is in an urbanized area, and that MCR fails to provide any information about how its antenna will be mounted (on a pole? atop a building?).