

FEDERAL COMMUNICATIONS COMMISSION
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September 20, 2019

Perry Broadcasting Systems
PO Box 1689
Lajas, PR 00667

Re: Perry Broadcasting Systems
WBSG(AM), Lajas, Puerto Rico
Facility Identification Number: 53629
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed September 19, 2019, on behalf of Perry Broadcasting Systems ("PBS"). PBS requests special temporary authority ("STA") to operate station WBSG(AM) with emergency antenna facilities.¹

In support of the request and stated in previous STA requests, the WBSG(AM) facilities were destroyed by two hurricanes in 2017 and the station has been silent since September 20, 2017. The station was most recently granted a Request for Extension of Special Temporary Authority to Remain Silent in a letter dated April 15, 2019. The letter states that the broadcast license for Station WBSG(AM) will automatically expire as a matter of law if broadcast operations do not resume by 12:01 a.m., September 21, 2019. Therefore, the station requests STA to operate non-directionally from one of its towers with a reduced power while it continues to make the necessary repairs to resume licensed operations.

Specifically, WBSG(AM) requests non-directional operation using tower No. 1 of its two tower directional array. The Antenna Structure Registration Number for the tower is 1063859. WBSG(AM) requests unlimited operation with a power of 500 watts.

Section 73.1680 of the Commission's rules provide for operation with emergency antenna facilities provided that an informal request for continued use of an emergency antenna is filled 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

¹ WBSG(AM) is licensed for unlimited operation on 1510 kHz with a power of 1 kilowatt, employing a directional antenna pattern (DA1-U).

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.

Accordingly, the request for STA IS HEREBY GRANTED, however the station's operating power must not exceed 25% of licensed power. **Thus, WBSG(AM) may operate non-directionally from its licensed site with a power not to exceed 250 watts.** It will be necessary to further reduce or cease operation if complaints of interference are received. PBS 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, 2020**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law if broadcast operations do not commence by 12:01 a.m., September 21, 2019. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1)(1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also Public Notice, Expedited Processing of Applications Filed by Silent Stations*, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

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,

A handwritten signature in black ink that reads "Jerome J. Manarchuck". The signature is written in a cursive style with a large, stylized initial "J" and a long, sweeping tail.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Jerrold Miller, Esq. (via email only)