

FEDERAL COMMUNICATIONS COMMISSION
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October 15, 2019

Cumulus Licensing LLC
3280 Peachtree Road, NW
Suite 2200
Atlanta, GA 30305

Re: Cumulus Licensing LLC
WVNN(AM), Athens, Alabama
Facility Identification Number: 3084
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed October 11, 2019, on behalf of Cumulus Licensing LLC ("CLL"). CLL requests special temporary authority ("STA") to operate station WVNN(AM) with reduced hours of operation in accordance with Section 73.1740(a)(4) of the Commission's rules.¹

In support of the request, CLL states that the transmitter for the station's nighttime operation failed and as a result, WVNN(AM) is unable to provide nighttime service and is operating in non-directional mode during daytime hours only. The station has separate transmitter sites for its daytime and nighttime operations.

Section 73.1740 provides for operation with reduced hours of operation beyond 30 days based on the filing of an informal written request. Station WVNN(AM) has filed that request for temporary operation during daytime hours only, and we feel grant of the STA request is warranted.

Accordingly, the request for STA IS HEREBY GRANTED. Station WVNN(AM) may operate daytime only with its current license facilities. It will be necessary to further reduce or cease operation if complaints of interference are received. CLL 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 13, 2020**.

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

¹ WVNN(AM) is licensed for operation on 770 kHz with a daytime power of 7 kilowatts and a nighttime power of 0.25 kilowatt, employing a directional antenna pattern at night (DAN-U).

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 dark ink, reading "Jerome J. Manarchuck". The signature is fluid and cursive, with the first name "Jerome" and last name "Manarchuck" clearly legible.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Mark N. Lipp, Esq. (via email only)