

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET SW**  
**WASHINGTON DC 20554**

**MEDIA BUREAU**  
**AUDIO DIVISION**  
**APPLICATION STATUS:** (202) 418-2730  
**HOME PAGE:** [www.fcc.gov/mb/audio/](http://www.fcc.gov/mb/audio/)

**ENGINEER:** CHARLES N. (NORM) MILLER  
**TELEPHONE:** (202) 418-2767  
**FACSIMILE:** (202) 418-1410  
**E-MAIL:** [charles.miller@fcc.gov](mailto:charles.miller@fcc.gov)

June 25, 2008

Dennis P. Corbett, Esq.  
Leventhal, Senter & Lerman, PLLC  
2000 K Street NW, Suite 600  
Washington, DC 20006-1809

Re: WAEC License Limited Partnership  
WRCA (AM), Waltham, Massachusetts  
Facility Identification Number: 60695  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed June 19, 2008, on behalf of WAEC License Limited Partnership ("WLLP"). WLLP requests special temporary authority ("STA") to operate Station WRCA pursuant to Section 73.1615.<sup>1</sup> In support of the request, WLLP states that it is implementing modified facilities for Station WRCA as authorized by Construction Permit BMP-20020926ACN. WLLP further states that it must vacate the currently licensed site by June 30, 2008.

Section 73.1615, which governs operation during modification of facilities, provides that AM licensees holding construction permits which involve directional facilities may discontinue operation, may operate with reduced power or with parameters at variance from licensed tolerances while maintaining monitor points within licensed limits, may operate in nondirectional mode during presently licensed hours of directional operation with power reduced to 25% of licensed directional power, may operate during daytime hours only in nondirectional mode with power reduced to 25% of construction permit directional power only as necessary to conduct nondirectional proof measurements, may operate during daytime hours with the substantially adjusted daytime or nighttime directional facilities authorized by the permit and with the power authorized by the permit only as necessary to take proof of performance measurements. Operating power shall be reduced to currently licensed levels when proof measurements are not being taken. Our review indicates that the request complies with Section 73.1615.

Accordingly, the request for STA IS HEREBY GRANTED. Station WRCA may operate pursuant to Section 73.1615 and the terms and conditions of Construction Permit BMP-20020926ACN. In particular, the following modes of operation are authorized:

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<sup>1</sup> WRCA is licensed to Waltham, Massachusetts, for operation on 1330 kHz with 5 kW daytime and 5 kW nighttime, employing different directional antenna patterns during daytime and nighttime hours (DA-2-U). Construction Permit BMP-20070926ACN authorizes a change in the city of license to Watertown, relocation of the transmitter, operation with 25 kW daytime and 17 kW nighttime, and changes to the daytime and nighttime directional patterns.

1) During daytime hours, with a nondirectional antenna and reduced power not to exceed 6.25 kilowatts, for nondirectional proof of performance measurements and as necessary to facilitate the construction work. Operating power must be reduced to 1.25 kilowatts or less during any significant period of time when proof of performance measurements are not being taken.

2) During daytime hours, with the substantially adjusted daytime and/or nighttime directional patterns and powers authorized by the permit, for final adjustment and proof of performance measurements. Operating power shall be reduced to 5 kilowatts or less during any significant period of time when field strength measurements are not being taken.

3) During nighttime hours, with a nondirectional antenna and reduced power not to exceed 1.25 kilowatts, only as necessary to facilitate the construction work.

4) During nighttime hours, with the substantially adjusted nighttime directional antenna pattern authorized by the permit, with reduced power not to exceed 5 kilowatts.

It will be necessary to further reduce power or cease operation if complaints of interference are received. WLLP 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 **December 25, 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,

A handwritten signature in black ink, appearing to read "Charles N. Miller". The signature is fluid and cursive, with a large initial "C" and a long horizontal stroke at the end.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: WAEC License Limited Partnership