

FEDERAL COMMUNICATIONS COMMISSION
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September 24, 2020

WHVN, Inc.
2250 N Druid Hills Rd. NE
Suite 124
Atlanta, GA 30329-3118

Re: WHVN, Inc.
WHVN(AM), Charlotte, NC
Facility Identification Number: 72331
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed on behalf of WHVN, Inc. ("WI"). WI requests special temporary authority ("STA") to operate station WHVN(AM) from an alternate site location.¹ In support of the request, WI states that due to the loss of its existing transmitter site, WHVN(AM) ceased broadcasting and went silent as of March 31, 2020. The licensee also states that it is presently exploring alternative permanent replacement sites. However, in the meantime, it is requesting operation from a site it currently owns and is the location of their existing self-supporting, base grounded STL tower.

Specifically, WHVN(AM) requests STA to operate with a single wire unipole system attached to the STL tower. The site is located within the community of license of the station. Operation is proposed with a reduced daytime and nighttime power of 600 watts.

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 service to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area² without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

¹ WHVN(AM) is licensed for operation on 1240 kHz with a daytime and nighttime power of 1 kilowatt, employing a non-directional antenna pattern (ND2-U).

² For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Accordingly, the request for STA is GRANTED. Station WHVN(AM) may operate with the following facilities:

Geographic coordinates	35° 15' 50" N, 80° 46' 13" W (NAD 1927)
Frequency	1240 KHz
Hours of operation	Unlimited
Operating power	0.6 kW
Antenna type	Single wire unipole system
Electrical height of radiator	68 degrees
Antenna efficiency	291.4 mV/m/kW at 1 km

It will be necessary to further reduce power or cease operation if complaints of interference are received. WHVN(AM) must notify the Commission when licensed operation is restored. WHVN(AM) 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 23, 2021**.

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 initial "J" and a long, sweeping tail.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Matthew H. McCormick (via email only)