



Federal Communications Commission  
Washington, D.C. 20554

February 19, 2021

First State Communications, Inc.  
3012 Highwoods Blvd.  
Suite 201  
Raleigh, NC 27604

Re: First State Communications, Inc.  
WPTF(AM), Raleigh, North Carolina  
Facility Identification Number: 21630  
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed February 11, 2021, on behalf of First State Communications, Inc. ("FSC"). FSC requests special temporary authority ("STA") to operate station WPTF(AM) with parameters at variance from its licensed facilities.<sup>1</sup> Specifically, FSC requests that station WPTF(AM) be allowed to continue to operate at reduced power during daytime hours and be allowed to operate during nighttime hours with emergency antenna facilities.

In support of the request, FSC states that the station's transmitter has not been able to make full operating power and thus has to operate at a reduce power level of 10 kilowatts. In addition to the transmitter problem, there are concerns regarding the nighttime directional antenna array. Work is in progress to determine the directional antenna issues. Therefore, until the transmitter and directional antenna issues are resolved, WPTF(AM) requests STA to operate non-directionally during daytime and nighttime hours from the daytime tower and with a reduced power of 10 kilowatts.

Section 73.1560(d), which governs reduced power operation, states:

In the event it becomes technically impossible to operate at authorized power, a broadcast station may operate at reduced power for a period of not more than 30 days without specific authority from the FCC. If operation at reduced power will exceed 10 consecutive days, notification must be made to the FCC in Washington, DC, Attention: Audio Division (radio) or Video Division (television), Media Bureau, not later than the 10<sup>th</sup> day of the lower power operation. In the event that normal power is restored within the 30 day period, the licensee must notify the FCC of the date that normal operation was restored. If causes beyond the control of the licensee prevent restoration of the authorized power within 30 days, a request for Special Temporary Authority (see Section 73.1635) must be made to the FCC in Washington, DC for additional time as may be necessary.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for

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<sup>1</sup> WPTF(AM) is licensed for operation on 680 kHz with a daytime and nighttime power of 50 kilowatts, employing a directional antenna pattern at night (DAN-U).

continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(1) provides that AM stations using an emergency nondirectional antenna in lieu of authorized directional facilities shall operate with power reduced to 25 percent 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.

Accordingly, the request for STA IS HEREBY GRANTED. Station WPTF(AM) may operate daytime with a reduced power of 10 kilowatts and may operate non-directionally during nighttime hours with a reduced power of 10 kilowatts. It will be necessary to further reduce power or cease operation if complaints of interference are received. WPTF(AM) must notify the Commission when licensed operation is restored.<sup>2</sup> WPTF(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 **August 18, 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

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<sup>2</sup> *See* 47 CFR §§ 73.45(c), 73.51, 73.61(b).

- 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: Coe W. Ramsey, Esq. (via email only)