



Federal Communications Commission
Washington, D.C. 20554

March 15, 2021

Five Forty Broadcasting Company, LLC
P.O. Box 1044
Sylva, NC 28779

Re: Five Forty Broadcasting Company, LLC
WRGC(AM), Sylva, North Carolina
Fac. ID No.: 73286
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed March 10, 2021, on behalf of Five Forty Broadcasting Company, LLC ("FFB"). FFB requests special temporary authority ("STA") to operate station WRGC(AM) with the facilities authorized in BP-20190130ABH but with the daytime power reduced from 5 kilowatts to 1 kilowatt.

In support of the request, FFB states that WRGC(AM) is moving a transmitter into place and otherwise making adjustments to complete construction in accordance with its authorized construction permit. FFC originally anticipated that the construction process would be completed within 30 days, but it encountered delays in acquiring necessary parts and now believes that additional time will be needed. Therefore, an STA is requested to operate with the authorized construction permit facilities but with the daytime power reduced to 1 kilowatt.

Accordingly, the request for STA IS HEREBY GRANTED. Station WRGC(AM) may operate with the facilities authorized in BP-20190130ABH but with the daytime power reduced to 1 kilowatt. It will be necessary to further reduce power or cease operation if complaints of interference are received. Station WRGC(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 **June 15, 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 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: Anne Goodwin Crump, Esq. (via email only)