



Federal Communications Commission
Washington, D.C. 20554

April 26, 2021

Aztec Capital Partners, Inc.
El Zol Media
4322 N. 5th St.
Philadelphia, PA 19140

Re: Aztec Capital Partners, Inc.
WNWR(AM), Philadelphia, PA
Fac. ID No.: 1027
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed April 19, 2021 on behalf of Aztec Capital Partners, Inc. ("ACP"). ACP requests special temporary authority ("STA") to operate station WNWR(AM) from an alternate site location.¹ In support of the request, ACP states that the STA is required to restore service of WNWR(AM) to the public during the completion of construction for the WNWR(AM) construction permit. Full power operation is dependent on new electrical power service installation, installation of RF transmission lines and installation of the 10 kilowatt transmitter in the new WNWR(AM) transmitter building which is on site.

Station WNWR(AM) lost its licensed site and has been silent since May 1, 2020. The station must resume broadcast operations by 12:01 a.m., May 2, 2021 or its license will expire as a matter of law. Thus, the station requests STA from its authorized construction permit site.

Specifically, station WNWR(AM) is requesting STA for non-directional operation from an existing tower (ASRN: 1232260). Operation is proposed with a daytime and critical hours power of 1.2 kilowatts and a nighttime power of 0.007 kilowatt.

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.

Accordingly, the request for STA is GRANTED. Station WNWR(AM) may continue to operate

¹ WNWR(AM) is licensed for operation on 1540 kHz with a daytime power of 50 kilowatts and a nighttime power of 0.25 kilowatt, employing different directional antenna patterns (DA2-U). The station is also authorized by construction permit (BP-20190201AAO) to operate on 1540 kHz from a different location with a daytime power of 10 kilowatts, a critical hours power of 1.2 kilowatts, and a nighttime power of 0.007 kilowatt, employing a non-directional antenna pattern (ND3-U).

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

with the following facilities:

Geographic coordinates	40° 00' 05" N, 75° 12' 36" W (NAD 1927)
Frequency	1540 KHz
Hours of operation	Daytime, Critical, and Nighttime
Operating power	1.2 kW (Daytime and Critical), 0.007 kW (Nighttime)
Antenna type	Existing tower
ASRN	1232260
Antenna radiator height	71.7 meters
Antenna electrical height	132.5°

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

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law if broadcast operations do not commence by 12:01 a.m., May 2, 2021. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1)(1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also Public Notice*, Expedited Processing of Applications Filed by Silent Stations, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

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: F. Reid Avett, Esq. (via email only)