

FEDERAL COMMUNICATIONS COMMISSION
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January 18, 2007

Roy Stype
Carl E. Smith Consulting Engineers
2324 North Cleveland-Massillon Road
Bath, Ohio 44210-0807

Re: WJZL(FM), Charlotte, Michigan
Facility Identification Number: 24645
Rubber City Radio Group, Inc.
Special Temporary Authorization

Dear Mr. Stype:

This is in reference to the request filed December 12, 2006, on behalf of Rubber City Radio Group, Inc. ("RCRG"). RCRG requests special temporary authority ("STA") to operate Station WJZL with temporary facilities pursuant to Section 73.1615.¹ In support of the request, RCRG states that it is in the process of implementing construction authorized by Permit BMPH-20061024AFF; however completion of the project has been delayed by structural issues. RCRG requests STA for continued operation with temporary facilities from the permit site pending completion of necessary structural work. RCRG further states that it has been forced to vacate the licensed site and cannot return to its currently licensed operation.

Section 73.1615, which governs operation during modification of facilities, provides that licensees holding construction permits for modification of directional or nondirectional FM and TV or nondirectional AM facilities may discontinue operation, may operate with temporary facilities to maintain, as nearly as possible, but not exceed, the size of the currently licensed coverage area. Such operation may commence upon notification to the FCC, and may continue for a period not exceeding 30 days. Should it be necessary to continue such operation beyond 30 days, a request for STA must be filed prior to the 30th day. Our review indicates that the proposed STA operation complies with Section 73.1615.

Accordingly, the request for STA IS HEREBY GRANTED. Station WJZL may operate with the following facilities:

Geographic coordinates:	42° 43' 58" N, 84° 33' 13" W (NAD 1927)
Channel	224 (92.7 MHz)
Effective radiated power:	0.57 kilowatt (H&V)
Antenna height:	
above ground:	92 meters

¹ WJZL is licensed for operation on Channel 224A (92.7 MHz) with effective radiated power of 1.5 kilowatts (H&V) and antenna height above average terrain of 142 meters.

above mean sea level: 351 meters
Above average terrain: 91 meters

RCRG must notify the Commission when licensed operation is restored. RCRG 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 **July 18, 2007**.

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,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Rubber City Radio Group, Inc.