

FEDERAL COMMUNICATIONS COMMISSION
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June 10, 2010

Edd Monskie, VP/Engineering
Hall Communications, Inc.
Box 4368
Lancaster, Pennsylvania 17604

Re: Hall Communications, Inc.
WLPA (AM), Lancaster, Pennsylvania
Facility Identification Number: 25870
Special Temporary Authority

Dear Mr. Monskie:

This is in reference to the request filed June 9, 2010, on behalf of Hall Communications, Inc. ("HCI"). HCI requests special temporary authority ("STA") to operate Station WLPA with reduced power.^{1 2} In support of the request, HCI states that preparations are underway for the co-location of Station WLAN with WLPA.

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 10th 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.

Our review indicates that the request complies with Section 73.1560(d).

Accordingly, the request for STA IS HEREBY GRANTED. Station WLPA may operate with reduced power, as necessary to facilitate the planned antenna construction. It will be necessary to

¹ WLPA is licensed for operation on 1490 kHz with 0.6 kilowatt, unlimited hours, employing a nondirectional antenna (ND-1-U).

² STA also was requested for operation with parameters at variance; however, we find that STA is not necessary for such operation. Section 73.51(d) permits AM stations to operate via the indirect method of power determination on a temporary basis without specific authority from the Commission, provided that notations are made in the station log of the commencement and termination dates of indirect power determination. Because Station WLPA employs a nondirectional antenna, there is no issue of directional antenna operating parameter tolerances.

further reduce power or cease operation if complaints of interference are received. HCI must notify the Commission when licensed operation is restored.³ HCI 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 **December 10, 2010**.

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 blue ink, appearing to read "Charles N. Miller", with a stylized flourish at the end.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Hall Communications, Inc.

³ *See* 47 CFR §§ 73.45(c), 73.51, 73.61(b).