

FEDERAL COMMUNICATIONS COMMISSION
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WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

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November 22, 2011

Barry A. Friedman, Esq.
Thompson Hine LLP
1920 N Street NW, Suite 800
Washington, DC 20036-1600

Re: Bay Broadcasting, Inc.
WBEY-FM, Crisfield, Maryland
Facility Identification Number: 27438
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed September 13, 2011, on behalf of Bay Broadcasting, Inc. ("BBI"). BBI requests extension of the special temporary authority ("STA") granted on March 7, 2011, to operate Station WBEY-FM with temporary facilities.¹ In support of the request, BBI states that it is in renewed discussions relative to its dispute with the owner of the licensed site, and that its plans for relocation of the station will depend on the outcome of the discussions.

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.

Our review indicates that the licensee has been prevented from restoring licensed operation due to causes beyond its control and has taken all possible steps to expeditiously resolve the problem. Thus, extension of STA is warranted.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WBEY-FM may operate with the following facilities:

¹ WBEY-FM is licensed for operation on Channel 250A (97.9 MHz) with effective radiated power of 4.3 kilowatts (Max-DA, H&V) and antenna height above average terrain of 116 meters.

| | |
|---------------------------|---|
| Geographic coordinates: | 37° 58' 30" N, 75° 49' 45" W (NAD 1927) |
| Channel | 250 (97.9 MHz) |
| Effective radiated power: | 0.75 kilowatt (H&V) |
| Antenna height: | |
| above ground: | 122 meters |
| above mean sea level: | 123 meters |
| Above average terrain: | 123 meters |

BBI must notify the Commission when licensed operation is restored. BBI 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 **May 22, 2012**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Bay Broadcasting, Inc.