

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

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October 31, 2011

Karen A. Ross, Esq.
Davis Wright Tremaine LLP
1919 Pennsylvania Avenue NW, Suite 800
Washington, D.C. 20006

Re: Educational Media Foundation
WUKV(FM), Portsmouth, Ohio
Facility Identification Number: 65508
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed October 26, 2011, on behalf of Educational Media Foundation ("EMF"). EMF requests special temporary authority ("STA") to operate FM Station WUKV with reduced antenna height.¹ In support of the request, EMF states that it recently acquired the station, and that it since has discovered that the "as built" facilities differ in location and antenna height from the license. EMF also states that the station is operating with reduced power due to problems with the antenna and transmission line. EMF states that it is taking steps to resolve these issues.

Our review indicates that the proposed STA operation is unlikely to cause interference to any other station.

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

| | |
|---------------------------|---|
| Geographic coordinates: | 38° 43' 22" N, 83° 00' 05" W (NAD 1927) |
| Channel | 202 (88.3 MHz) |
| Effective radiated power: | 0.2 kilowatt (H&V) |
| Antenna height: | |
| above ground: | 36 meters |
| above mean sea level: | 371 meters |
| above average terrain: | 153 meters |

EMF must notify the Commission when licensed operation is restored. EMF must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation

¹ WUKV is licensed for operation on Channel 202A (88.3 MHz) with effective radiated power of 1 kilowatt (H&V) and antenna height above average terrain of 196 meters.

in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **May 1, 2012**.

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 long horizontal flourish extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Educational Media Foundation