

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

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

ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
E-MAIL: charles.miller@fcc.gov

August 16, 2012

Robert J. Folliard, III, Esq.
Dow Lohnes PLLC
1200 New Hampshire Avenue NW, Suite 800
Washington, DC 20036-6802

Re: WDAY(AM), Fargo, North Dakota
Facility Identification Number: 22126
Forum Communications Company
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed August 6, 2012, on behalf of Forum Communications Company ("Forum"). Forum requests further extension of the special temporary authority ("STA") granted on June 6, 2011, to operate Station WDAY with emergency antenna facilities pursuant to Section 73.1680.¹ In support of the request, Forum states that it continues to work toward restoring the station's nighttime operation.

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 Construction Permit BP-20111223AAJ, for relocation of the transmitter, was granted on June 7, 2012. Thus, the licensee has made substantial progress toward restoring licensed operation and extension of STA is warranted to allow time for implementation of the permit.

¹ WDAY is licensed for operation on 970 kHz with 5 kilowatts daytime and 5 kilowatts nighttime, employing a directional antenna during nighttime hours only (DA-N-U). Application BP-20111223AAJ proposes relocation of the transmitter and operation with 10 kilowatts, unlimited hours, employing different directional patterns daytime and nighttime (DA-2-U).

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WDAY may continue to operate with an emergency nondirectional antenna and reduced power not to exceed 5 kW daytime and 1.25 kW nighttime. It will be necessary to further reduce power or cease operation if complaints of interference are received. Forum 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 **February 16, 2013**.

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: Forum Communications Company