

**FEDERAL COMMUNICATIONS COMMISSION**  
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July 11, 2013

Mark N. Lipp, Esq.  
Wiley Rein LLP  
1776 K Street, NW  
Washington, DC 20006

Re: Radio License Holding CBC, LLC  
WARM(AM), Scranton, Pennsylvania  
Facility Identification Number: 70504  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed July 8, 2013, on behalf of Radio License Holding CBC, LLC ("RLH"). RLH requests special temporary authority ("STA") to operate station WARM(AM) with parameters at variance from license values and/or reduced power while maintaining monitor points within license limits.<sup>1</sup>

In support of the request, RLH states that the station's lighting system and antenna monitor were damaged due to lightning. Therefore, RLH seeks STA to operate with parameters at variance and or reduced power while repairs are made to the system.

Accordingly, the request for STA IS HEREBY GRANTED. Station WARM(AM) may operate with parameters at variance from licensed values and/or reduced power while maintaining monitor points within licensed limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. RLH must notify the Commission when licensed operation is restored.<sup>2</sup> RLH 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 **January 7, 2014**.

**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

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<sup>1</sup> WARM(AM) is licensed for operation on 590 kHz with a daytime and nighttime power of 5 kilowatts, employing different directional antenna patterns (DA2-U).

<sup>2</sup> *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b)

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,



Jerome J. Manarchuck  
Audio Division  
Media Bureau

cc: Radio License Holding CBC, LLC