

FEDERAL COMMUNICATIONS COMMISSION
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October 6, 2009

Nancy A. Ory, Esq.
Lerman Senter PLLC
2000 K Street NW, Suite 600
Washington, DC 20006-1809

Re: WMEG Licensing, Inc.
WMEG(FM), Guyama, Puerto Rico
Facility Identification Number: 32157
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed October 1, 2009, on behalf of WMEG Licensing, Inc. ("WLI"). WLI requests special temporary authority ("STA") to operate Station WMEG with reduced power and/or antenna height.¹ In support of the request, WLI states that structural work is being performed on the licensed tower, which will necessitate operation with reduced power and/or antenna height.

Our review indicates that the proposed STA operation complies with the technical provisions of Section 73.1615, which governs operation during modification of facilities, and that no interference to other stations is likely to result from the proposed STA operation.

Accordingly, the request for STA IS HEREBY GRANTED. Station WMEG may operate with reduced power and/or antenna height. WLI must notify the Commission when licensed operation is restored. WLI 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 6, 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

¹ WMEG is licensed for operation on Channel 295B (106.9 MHz) with effective radiated power of 25 kilowatts (H&V) and antenna height above average terrain of 594 meters.

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: WMEG Licensing, Inc.