

**FEDERAL COMMUNICATIONS COMMISSION**  
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**WASHINGTON DC 20554**

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September 10, 2007

John S. Neely, Esq.  
Miller & Miller, P.C.  
1990 m Street NW, Suite 760  
Washington, DC 20036

Re: WMRO(AM), Gallatin, Tennessee  
Facility Identification Number : 11749  
Classic Broadcasting, Inc.  
Special Temporary Authorization

Dear Mr. Neely:

This is in reference to the request filed September 7, 2007, on behalf of Classic Broadcasting, Inc. (CBI). CBI requests special temporary authority (STA) to operate Station WMRO with reduced power.<sup>1</sup> In support of the request, CBI states that the Gallatin area is under a severe heat wave, resulting in power outages and restricted usages. CBI requests STA for operation with reduced power in order to contribute to local power conservation efforts. CBI further states that it is preparing an application for construction permit for permanent reduction in operating power.

Accordingly, the request for STA IS HEREBY GRANTED. Station WMRO may operate with reduced power. CBI 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 **March 10, 2008**.

**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

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<sup>1</sup> WMRO is licensed for operation on 1560 kHz with 1 kilowatt daytime and 0.003 kilowatt nighttime, employing a nondirectional antenna (ND-2-U).

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 black ink, appearing to read "Charles N. Miller". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Classic Broadcasting, Inc.