

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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September 3, 2009

Gregg P. Skall, Esq.
Womble Carlyle Sandridge & Rice
1401 I Street NW, Seventh Floor
Washington, DC 20005

Re: WXXY Broadcasting, Inc.
W286BB(FX), Ocean Pines, Maryland
Facility Identification Number: 150318
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed October 2, 2008, on behalf of WXXY Broadcasting, Inc. ("WBI"). WBI requests special temporary authority ("STA") to operate FM Translator W286BB with temporary facilities.¹ In support of the request, WBI states that it intends to file an application for permanent authority to operate from the proposed STA site.

Our review indicates that operation is proposed on Channel 204 (88.7 MHz), but the request does not provide any engineering study or other justification for the change in frequency. It is contrary to our STA policy to grant a change in operating channel for an FM translator, absent a demonstration of need for the change and a showing that the proposed operation will not result in interference to other stations. Consequently, the request is unacceptable for filing.

Accordingly, the request for STA IS HEREBY DISMISSED.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: WXXY Broadcasting, Inc.

¹ W286BB is licensed for operation on Channel 286D (105.1 MHz) with effective radiated power ("ERP") of 0.027 kilowatt (H&V).