

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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April 1, 2011

Edward A. Shober, Chief Executive Manager
Winchester Radio Broadcasters, LLC
Box 367
Haddon Heights, New Jersey 08035

Re: Winchester Radio Broadcasters, LLC
WXVA (AM), Winchester, Virginia
Facility Identification Number: 4668
Special Temporary Authority

Dear Mr. Shober:

This is in reference to the request filed March 30, 2011, on behalf of Winchester Radio Broadcasters, LLC ("WRB"). WRB requests special temporary authority ("STA") to operate Station WXVA with temporary facilities.¹ In support of the request, WRB states that the station was transferred to WRB as a silent station without studio, transmitter or significant equipment. WRB states that it has undertaken steps to restore operation by establishing a new transmitter and studio location, and has filed Application BP-20110131AQW to utilize the available transmitter site. WRB seeks STA for operation from the application site with reduced power in order to restore service to Winchester.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service² to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area³ without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation complies with the foregoing criteria. Our review further indicates that Station WXVA has been silent since November 16, 2010, and thus faces the loss of its license if it does not resume operation on or before November 16, 2011.

¹ WXVA is licensed for operation on 610 kHz with 0.5 kilowatt daytime and 0.5 kilowatt nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U).

² For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

³ For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Accordingly, the request for STA IS HEREBY GRANTED. Station WXVA may operate with the following facilities:

Geographic coordinates	39° 07' 26" N, 78° 12' 44" W (NAD 1927)
Frequency	610 KHz
Hours of operation	Unlimited
Operating power	Not to exceed 0.125 kilowatt
Antenna type	Existing tower with folded unipole feed
Radiator height	57.3° (78.2 meters)
Overall height	79.7 meters
ASRN	1025561
Antenna efficiency	284 mV/m/km/kW

It will be necessary to further reduce power or cease operation if complaints of interference are received. WRB 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. The authority granted herein is without prejudice as to the Commission's final action on Application BP-20110131AQW. Any construction undertaken pursuant to this authority is entirely at WRB's own risk.

This authority expires on **October 1, 2011**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law upon twelve consecutive months of silence. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also Public Notice*, Expedited Processing of Applications Filed by Silent Stations, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

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 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".

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Winchester Radio Broadcasters, LLC