



Federal Communications Commission
Washington, D.C. 20554

October 20, 2021

Hoosier AM/FM, LLC
550 Cochituate Road
Suite 25
Framingham, MA 01701

Re:Hoosier AM/FM, LLC
WIOU(AM), Kokomo, IN
Fac. ID No.: 41849
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed October 12, 2021, on behalf of Hoosier AM/FM, LLC ("Hoosier"). Hoosier requests special temporary authority ("STA") to operate station WIOU(AM) with parameters at variance from its licensed facilities and/or reduced power while maintaining monitor points within license limits.¹ Specifically, Hoosier requests that station WIOU(AM) be permitted to operate during nighttime hours with the daytime directional antenna system at reduced power.

In support of the request, Hoosier states that due to several days of rain and local flooding in the Kokomo, Indiana area, the cable trenches in the WIOU(AM) transmitter room filled up with ground water. This caused the phased array controller to fail in such a way causing all of the nighttime solenoids to stay energized until they failed and leaves WIOU(AM) in a state where the night pattern cannot be selected. Therefore, until the necessary replacement solenoids and components can be ordered and installed, the station requests nighttime operation using the daytime directional antenna system with a reduced power of 0.25 kilowatt. No changes are proposed to the daytime operation.

Accordingly, the request for STA IS HEREBY GRANTED. WIOU(AM) may operate during nighttime hours using the daytime directional antenna system at a reduced power of 0.25 kilowatt. No changes are proposed to the daytime operation. It will be necessary to further reduce power or cease operation if complaints of interference are received. WIOU(AM) must notify the Commission when licensed operation is restored. WIOU(AM) 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 **April 18, 2022**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the

¹ WIOU(AM) is licensed for operation on 1350 kHz with a daytime power of 5 kilowatts and a nighttime power of 1 kilowatt, employing different directional antenna patterns (DA2-U).

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 black ink that reads "Jerome J. Manarchuck". The signature is written in a cursive style with a large, looping initial "J".

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: David G. O'Neil, Esq. (via email only)