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Federal Communications Commission
Media Services
P.O. Box 358190
Pittsburgh, PA 15251-5190

Re: Request for Waiver to Permit FM Translator to Rebroadcast AM Station Programming: Station WSGC(AM), Elberton, Georgia (FCC Facility ID No. 54562) and FM Translator W226AU, Elberton, Georgia (FCC Facility ID No. 138393)

To whom this may concern:

Georgia-Carolina Radiocasting Company, LLC, licensee of Station WSGC(AM), Elberton, Georgia, hereby requests issuance of a Special Temporary Authorization to allow for a waiver of all relevant sections and subsections of Part 74, Subpart L of the Commission's rules for FM translators in order to allow the programming of Station WSGC(AM) to be rebroadcast on W226AU, Elberton, Georgia, pending the outcome of the current FCC rulemaking proceeding (RM-11338) in which a change in the FCC's rules is being contemplated that will allow the generalized use of FM translators by AM radio broadcast stations. Georgia-Carolina Radiocasting Company, LLC is licensee of W226AU.

At the present time, Sections 74.1201(a), 74.1201(d), 74.1231, 74.1232 and 74.1284(c) of the Commission's Rules specifically limit the permissible programming service of an FM translator station to the rebroadcast of certain FM broadcast stations that meet the eligibility requirements in Part 74 of the Commission's rules. The public interest would be well served by a grant of this waiver request of all of these rules, pending a permanent change in the rules to allow for AM stations to be rebroadcast on FM translators under certain conditions.

Station WSGC(AM), Clayton, Georgia operates with 1 kW on a full-time basis. As a Class C station, WSGC(AM) is obliged to accept all interference from other stations, and does not enjoy a true nighttime interference-free contour. Interference from external sources is seriously degrading WSGC(AM)'s signal's ability to reach its listeners on a consistent basis. As a consequence, Station WSGC(AM) is not able to transmit an interference-free signal throughout its predicted 2.0 mV/m signal service area even during daytime hours, and its 20 mV/m nighttime interference-free contours covers only a small portion of Elbert County, the county to which it is licensed to serve.

Grant of this waiver (along with the waiver requested with respect to Station W240BC), will allow WSGC to more than double the number of people served by its programming and cover four times the area now covered by WSGC's nighttime signal. Thus, the use of the

W226AU translator to rebroadcast the programming of Station WSGC(AM) and to operate and provide service via W226AU at night will provide new nighttime service to large number of persons in the Elbert County area, allowing Station WSGC(AM) to expand the local service currently provided by the Station. As wintertime approaches, the nighttime hours of Station WSGC(AM) will increase, which, in turn, will cause the quality of reception from Station WSGC(AM) to decrease during substantial portions of both the morning and afternoon hours. This service reduction will be reduced through grant of this waiver request.

The requested waiver is temporary in nature and is requested to extend only until the Commission's final decision in RM-11338. Should that decision ultimately not allow the rebroadcast of programming of AM stations on FM translators to the extent proposed herein, Georgia-Carolina Radiocasting will immediately cease or limit the carriage of Station WSGC(AM) on Station W226AU.

This waiver request, when considered on a public interest basis, has only benefits to the public, with no countervailing detriments. Expanded local service has always been viewed by the Commission as an important objective to be achieved. It is in the public interest for the Commission to fashion its rules and to grant waivers so that the public, as much as possible, is able to listen to local-area radio stations. Overall, a grant of the waiver requested in this letter will result in a more efficient use of the broadcast spectrum.

The Commission is obligated to treat all applicants in similar manners. *Melody Music, Inc. v. FCC*, 345 F.2d 730, 732 (similarly situated cases should not be treated dissimilarly). Grant of this waiver request will be consistent with similar waivers granted recently by the Media Bureau. Moreover, it is well-established that the foundational bricks of America's system of broadcasting are its AM broadcast stations. While the structure of broadcasting has seen much growth in its 80 or so years of existence (such that FM service has gained dominance in the broadcast arena), service to many communities and areas, particularly such as the small communities surrounding the Elberton, Georgia translator, rely upon local-area AM radio stations for much of its news and informational programming. That need will be more fully served by allowing for a station to provide expanded service at night through operation on Station W226AU, while improving the quality of its day-time service. The Commission should do all it can to ensure that the programming provided by Station WSGC(AM) may be received by the public in as technically consistent and interference-free manner as possible. This may be achieved by granting this STA request and allowing its rules to be waived, thereby allowing Station WSGC(AM) to be rebroadcast on the W226AU FM translator.

The requisite Filing Fee and Anti-Drug Certification is being filed with this request. If we can provide any additional information regarding this request for issuance of a Special Temporary Authorization, please contact this office directly.

Sincerely,

Dan J. Alpert

*Counsel for Georgia-Carolina Radiocasting
Company, LLC*

