

FEDERAL COMMUNICATIONS COMMISSION
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August 8, 2011

Nancy A. Ory, Esq.
Lerman Senter PLLC
2000 K Street NW, Suite 600
Washington, DC 20006-1809

Re: WIBR(AM), Baton Rouge, Louisiana
Facility Identification Number : 61275
Radio License Holding CBC, LLC
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed August 5, 2011, on behalf of Radio License Holding CBC, LLC ("CBC"). CBC requests special temporary authority ("STA") to operate Station WIBR with a temporary nondirectional antenna and reduced power.¹

In support of the request, CBC states that, in August, 2008, due to tropical storm Gustav, the WIBR transmitter building was saturated with water and severely damaged. All equipment was saturated and inoperable. Since the station originally went silent, some repairs to the transmitter building were completed, and WIBR was returned to the air on August 4, 2010 using a temporary nondirectional antenna. The station went silent again on August 13, 2010. Citadel has recently received and installed a new transmitter from Nautel. On August 4, 2011, WIBR again began operating at reduced power of 250 watts, nondirectionally, using one of the towers in the licensed array. CBC requests STA to continue to operate with an emergency nondirectional antenna and reduced power pending a resolution of the engineering problems that remain at the site.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(1) provides that AM stations using an emergency nondirectional antenna in lieu of authorized directional facilities shall operate with power reduced to 25 percent or less of the nominal licensed power, or a higher power, not exceeding licensed power, while insuring that the radiated field strength does not exceed that authorized in any given azimuth.

Accordingly, the request for STA IS HEREBY GRANTED. Station WIBR may operate with a temporary nondirectional antenna and reduced power not to exceed 1.25 kilowatts daytime and

¹ WIBR is licensed for operation on 1300 kHz with 5 kilowatts daytime and 1 kilowatt nighttime, employing different directional antenna patterns during daytime and nighttime hours (DA-2-U).

0.25 kilowatt nighttime. It will be necessary to further reduce power or cease operation if complaints of interference are received. CBC 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 **February 8, 2012**.

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", written over a horizontal line.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Radio License Holding CBC, LLC