

## STA JUSTIFICATION STATEMENT

WQAW-LP, Lake Shore Maryland, is licensed to operate on Channel 69. WQAW has been silent since June 12, 2009 – the national DTV transition date – due to interference to the public safety first responder relay network (800 MHz band) of the regional wideband network (RWBN) as reported by the Washington, DC Office of the Chief Technology Officer. Further operation on Channel 69 is prohibited.

On October 29, 2009, the FCC granted WQAW's application for displacement channel 20 (*see* File No. BDISDTL-20090629AAY). The station has been working since then to complete construction prior to June 12, when it must resume operations in order to preserve its license. Equipment has been delivered or is on order and negotiations are underway with the tower owner. Those negotiations have taken longer than anticipated due to the need for a structural study. With less than 60 days remaining before it must be back on the air, the station is concerned that it may not be able to complete construction of the full facility by June 12 and respectfully requests authority to operate temporarily with reduced facilities as described in this application so that it can be certain to resume operations by the June 12 deadline.

As shown by the attached Exhibit 22, the F(50,90) 49.4 dBu contour of the proposed digital STA operation would be entirely inside the permitted F(50,90) 49.4 dBu protected contour.

Grant of this application would not constitute a major environmental action. No Section 1.1307 conditions, defining potential major environmental actions, are believed to apply. The proposed single-panel STA antenna would be side-mounted on an existing tower that has been registered with the Commission, with no change in the overall height of that structure.

The proposed STA operation would meet FCC guidelines with respect to human exposure to radio frequency energy. The maximum predicted ground-level power density is 1.6% of the  $0.339 \mu\text{W}/\text{cm}^2$  public limit applying at UHF TV channel 20 (506-512 MHz). Since this is less than 5% of the public limit, the proposed operation is categorically excluded by Section 1.1307(b)(3) of the FCC rules from having to consider the contributions of other stations at or near the site.