



Federal Communications Commission
Washington, D.C. 20554

July 28, 2022

Bristol Broadcasting Company, Inc.
1990 Valley Drive
Bristol, VA 24201

Re: Bristol Broadcasting Company, Inc.
WBES(AM), Charleston, WV
Fac. ID No.: 6873
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed on behalf of Bristol Broadcasting Company, Inc. ("BBC"). BBC requests special temporary authority ("STA") to operate station WBES(AM) from an alternate site location with a temporary long-wire antenna.¹

In support of the request, BBC states that WBES(AM) has been granted a construction permit to eliminate the station's nighttime directional array and to duplex the daytime operation of the station on a tower which also serves as the radiator for WVTS(AM). BBC intends to begin dismantling three towers associated with the nighttime array and will require WBES(AM) to cease operation for an indeterminate period or to operate from an alternate site. In order to keep the station on the air, the station is requesting operation from an alternate site.

Specifically, WBES(AM) requests STA to operate from a site located 5.1 kilometers southeast of the licensed site. Operation is proposed with a 161 foot (49 meter) long-wire mounted 20 feet above ground. The long-wire will be supported by existing towers on each end. A reduced power of 0.02 kilowatt is proposed.

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 service to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area² 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 grant of the STA is warranted in order to allow the station to continue broadcasting during the necessary site work.

Accordingly, the request for STA is GRANTED. Station WBES(AM) may operate with the

¹ WBES(AM) is licensed for operation on 950 kHz with a daytime power of 5 kilowatts and a nighttime power of 1 kilowatt, employing a directional antenna pattern at night (DAN-U).

² For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

following facilities:

Geographic coordinates	38° 21' 26" N, 81° 40' 05" W (NAD 1927)
Frequency	950 KHz
Hours of operation	Unlimited
Operating power	0.02 kW
Antenna type	161 foot (49.1 m) long-wire antenna
Theoretical RMS	283.4 mV/m/kW at 1 km

It will be necessary to further reduce power or cease operation if complaints of interference are received. WBES(AM) must notify the Commission when licensed operation is restored. WBES(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 **January 24, 2023**.

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 dark ink, reading "Jerome J. Manarchuck". The signature is fluid and cursive, with the first name "Jerome" and last name "Manarchuck" clearly legible.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Roger Bouldin (via email only)