

FEDERAL COMMUNICATIONS COMMISSION
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AUDIO DIVISION
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December 17, 2009

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

Re: WRBQ-FM, Tampa, Florida
Facility Identification Number: 11943
CBS Radio Stations Inc.
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed December 16, 2009, on behalf of CBS Radio Stations Inc. ("CBS"). CBS requests special temporary authority ("STA") to operate Station WRBQ-FM pursuant to Section 73.1615.¹ In support of the request, CBS states that it holds Construction Permit BPH-20070807AAG to relocate the WRBQ-FM transmitter to a new tower. In order to allow the station to remain on the air while relocating equipment from the current site to the new site, CBS requests STA for operation from the new site with reduced power.²

Section 73.1615, which governs operation during modification of facilities, provides that licensees holding construction permits for modification of directional or nondirectional FM and TV or nondirectional AM facilities may discontinue operation, may operate with temporary facilities to maintain, as nearly as possible, but not exceed, the size of the currently licensed coverage area. Such operation may commence upon notification to the FCC, and may continue for a period not exceeding 30 days. Should it be necessary to continue such operation beyond 30 days, a request for STA must be filed prior to the 30th day. Our review indicates that the proposed STA operation complies with Section 73.1615.

Accordingly, the request for STA IS HEREBY GRANTED. Station WRBQ-FM may operate with the facilities authorized by Construction Permit BPH-20070807AAG, but with reduced effective radiated power. CBS 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. Simultaneous operation of Stations WRBQ-FM and WQYK-FM from the new site shall not commence until sufficient diplexing equipment has been installed and properly adjusted to reduce all spurious emissions below the levels specified in 47 CFR Section 73.317. CBS must submit the results of measurements which demonstrate

¹ WRBQ-FM is licensed for operation on Channel 284C1 (104.7 MHz) with effective radiated power of 100 kilowatts (H&V) and antenna height above average terrain ("HAAT") of 171 meters. Construction Permit BPH-20070807AAG authorizes relocation of the transmitter and an increase in HAAT to 174 meters.

² A similar STA is granted today for commonly-owned Station WQYK-FM, which will be diplexed with WRBQ-FM at the new site.

compliance with the above condition with its application for license.

This authority expires on **June 17, 2010**.

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", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: CBS Radio Stations Inc.