

FEDERAL COMMUNICATIONS COMMISSION
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December 17, 2010

Ms. Sheila Cowley
Nathan B. Stubblefield Foundation
1210 East Martin Luther King, Jr. Blvd.
Tampa, Florida 33603

Re: Nathan B. Stubblefield Foundation
WMNF(FM), Tampa, Florida
Facility Identification Number: 47459
Special Temporary Authority

Dear Ms. Cowley:

This is in reference to the request filed December 15, 2010, on behalf of Nathan B. Stubblefield Foundation ("NBSF"). NBSF requests special temporary authority ("STA") to operate Station WMNF with temporary facilities.^{1 2} In support of the request, NBSF states that extensive antenna construction work is being performed on the licensed tower and that, in order to maintain service during the course of the work, WMNF plans to operate from a temporary antenna installed at a lower elevation on the tower, with reduced power.

Our review indicates that the proposed STA operation complies with the technical provisions of Section 73.1615, which governs operation during modification of facilities, and that no interference to other stations is likely to result.

Accordingly, the request for STA IS HEREBY GRANTED. Station WMNF may operate with reduced power and/or antenna height, as necessary to facilitate the planned antenna construction work. NBSF must notify the Commission when licensed operation is restored. NBSF 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 **March 17, 2010**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the

¹ WMNF is licensed for operation on Channel 203C1 (88.5 MHz) with effective radiated power of 7 kilowatts (Max-BT, H&V) and antenna height above average terrain of 469 meters.

² In a separate filing on the same date, NBSF requests STA for operation with increased IBOC digital power; however, STA is not necessary for the proposed operation and that request is dismissed. NBSF should file a new Digital Notification specifying the increased digital power.

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: Nathan B. Stubblefield Foundation