

ENGX File Room

FEDERAL COMMUNICATIONS COMMISSION
445 Twelfth Street, S.W.
WASHINGTON DC 20554

MASS MEDIA BUREAU
AUDIO SERVICES DIVISION
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DEC 09 1999

Fisher Wayland Cooper Leader & Zaragoza L.L.P.
c/o Mayfair Broadcasting Corporation
2001 Pennsylvania Avenue, N.W., Suite 400
Washington, DC 20006-1851

Re: WFPS-FM, Freeport, IL
Mayfair Broadcasting Corporation
Facility Id # 22647
Special Temporary Authority

Dear Mr. Zaragoza:

This is in reference to the November 2, 1999 letter by counsel on behalf of Mayfair Broadcasting Corporation, licensee of station WFPS-FM requesting an extension of the special temporary authority that was granted on July 30, 1999 to allow WFPS-FM to operate with facilities which vary from those authorized.¹ Grant of this extension request will allow WFPS-FM to continue to operate pending repairs and relocation of its licensed site.

We find that grant of the STA is in the public interest. Accordingly, special temporary authority is HEREBY GRANTED to operate with the following parameters:

Coordinates:	42° 18' 45" NL 89° 35' 38" WL
Antenna Type:	Two bay antenna
ERP:	0.17 kilowatts (H&V)
RCAGL:	131 meters
RCAMSL:	381 meters
OHAGL:	137 meters
Tower registration No:	1009521

¹ WFPS-FM is currently licensed under authorization BLH-4947.

This special temporary authority expires on **March 9, 2000**. Grant of this special temporary authority is conditioned on reducing WFPS-FM's power or ceasing its operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency radiation in excess of FCC guidelines.

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,



Edward P. De La Hunt
Assistant Chief
Audio Services Division
Mass Media Bureau

cc: Mayfair Broadcasting Corporation

DUPLICATE

FISHER WAYLAND COOPER LEADER & ZARAGOZA L.L.P.

2001 PENNSYLVANIA AVENUE, N.W.

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WASHINGTON, D. C. 20006-1851

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RICHARD R. ZARAGOZA

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November 2, 1999

VIA HAND DELIVERY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals II
445 12th Street, S.W., Room TW-A325
Washington, DC 20554

Re: REQUEST FOR EXTENSION OF SPECIAL TEMPORARY AUTHORITY
Broadcast Station WFPS-FM
Freeport, IL
Facility Identification Number 22647

Dear Ms. Salas:

On behalf of Mayfair Broadcasting Corporation, the licensee of the above-referenced broadcast station, this is to update the Request for Extension of Special Temporary Authority (the "Request") filed on November 1, 1999 in two respects. First, enclosed is the original of the executed Anti-Drug Abuse Act Certification. A facsimile copy was filed with the Request. Second, after filing the Request, the undersigned learned, contrary to information earlier provided to him, that the FAA had in fact given its approval for the new antenna structure. An application on FCC Form 301, it is intended, will be filed as soon as practicable. This update does not undermine the need for an extension of the special temporary authority since, without such authority, the station would have to cease operating thereby disrupting long-standing listener reliance on the station.

Please associate this submission with the above-referenced request.

If there are any questions concerning this matter, please communicate with the undersigned.

Very truly yours,

Richard R. Zaragoza

RRZ/saj
Enclosure

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Federal Communications Commission
Office of Secretary


Nov. 1. 1999 5:13PM

No. 4300 P. 2/2

ANTI-DRUG ABUSE ACT CERTIFICATION

The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862, or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. §1.2002(b)

☒ Yes ☐ No

Mayfair Broadcasting Corporation	
Name of Applicant	
Date 11/1/99	Executive Vice President, Secretary and Director
	Title