



Federal Communications Commission
Washington, D.C. 20554

April 8, 2024

West Virginia Radio
Corporation of Charleston
1251 Earl L. Core Rd.
Morgantown, WV 26505

Re: West Virginia Radio
Corporation of Charleston
WCHS(AM), Charleston, WV
Fac. ID No.: 71660
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed April 5, 2024, on behalf of West Virginia Radio Corporation of Charleston ("WVR"). WVR requests special temporary authority ("STA") to operate station WCHS(AM) with emergency antenna facilities.¹

In support of the request, WVR states that on April 2, 2024 towers #1 and #2 of the nighttime directional array were toppled by severe storms, which included winds exceeding 90 miles per hour. Steps have been taken to return WCHS(AM) to the air using tower #3 of the WCHS(AM) array (ASRN 1054160). Therefore, WVR requests STA to operate non-directionally during daytime hours from tower #3 instead of from tower #1. Daytime operation is requested at the station's licensed power of 5 kilowatts. At night, the station is requesting non-directional operation from tower #3 with a reduced power of 1.25 kilowatts (25% of licensed power).

Section 73.1680 of the Commission's rules provide for operation with emergency antenna facilities provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(1) states that AM stations may use a horizontal or vertical wire or a nondirectional vertical element of a directional antenna as an emergency antenna. AM stations using an emergency nondirectional antenna or a horizontal or vertical wire pursuant to this section, in lieu of authorized directional facilities, shall operate with power reduced to 25% or less of the nominal licensed power, or, a higher power, not exceeding licensed power, while insuring that the radiated field strength does not exceed that authorized in any given azimuth for the corresponding hours of directional operation.

Accordingly, the request for STA IS HEREBY GRANTED.² Station WCHS(AM) may operate non-directionally from tower #3 from its licensed site with a daytime power of 5 kilowatts and a reduced nighttime power of 1.25 kilowatts. It will be necessary to further reduce or cease operation if complaints of interference are received. WCHS(AM) must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess

¹ WCHS(AM) is licensed for operation on 580 kHz with a daytime and nighttime power of 5 kilowatts, employing a directional antenna pattern at night (DAN-U).

² Periods of operation pursuant to this STA shall be recorded in the station's records (see 47 CFR § 73.1820). The records shall include start/stop dates and times of such operation. These log entries must be maintained for a minimum of two years as specified in 47 CFR § 73.1840(a), unless a longer retention period is requested by the staff. Periods of operation may be subject to independent verification that they in fact occurred.

of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **October 7, 2024**.

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,



Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Kathleen Victory, Esq. (via email only)
Roy P. Stype, III (via email only)