# FEDERAL COMMUNICATIONS COMMISSION
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March 24, 2009

Dan J. Alpert, Esq.
2120 North 21st Road, Suite 400
Arlington, Virginia 22201

Re: WGBN(AM), New Kensington, Pennsylvania
Facility Identification Number: 52241
Pentecostal Temple Development Corporation
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed March 20, 2009, on behalf of Pentecostal Temple Development Corporation (PTD). PTD requests special temporary authority ("STA") to operate Station WGBN with parameters at variance and/or reduced power while maintaining monitor points within licensed limits.[1] In support of the request, PTD states that the detuning skirt on a tower in close proximity to the station's transmitter has been damaged by a storm.

Accordingly, the request for STA IS HEREBY GRANTED. Station WGBN may continue to operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. PTD must notify the Commission when licensed operation is restored.[2] PTD 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 **September 24, 2009**.

**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

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[1] WGBN is licensed for operation on 1150 kHz with 1 kilowatt daytime and 0.07 kilowatt nighttime employing different directional antenna patterns day and night (DA-2-U).

[2] *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).

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,

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Pentecostal Temple Development Corporation