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445 TWELFTH STREET SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
E-MAIL: charles.miller@fcc.gov

June 22, 2009

John S. Neely, Esq.
Miller & Miller, PC
1990 M Street NW, Suite 760
Washington, DC 20036

Re: WGNZ(AM), Fairborn, Ohio
Facility Identification Number: 36075
L&D Broadcasters, Inc.
Special Temporary Authorization

Dear Mr. Neely:

This is in reference to the request filed June 19, 2009, on behalf of L&D Broadcasters, Inc. ("L&D"). L&D requests special temporary authority (STA) for operation of Station WGNZ pursuant to Section 73.1615.[1] In support of the request, L&D states that it has completed construction of modified WGNZ facilities authorized by Construction Permit BP-20060620ABF and is in the process of making final adjustments and proof of performance measurements.

Section 73.1615, which governs operation during modification of facilities, provides that AM licensees holding construction permits which involve directional facilities may discontinue operation, may operate with reduced power or with parameters at variance from licensed tolerances while maintaining monitor points within licensed limits, may operate in nondirectional mode during presently licensed hours of directional operation with power reduced to 25% of licensed directional power, may operate during daytime hours only in nondirectional mode with power reduced to 25% of construction permit directional power only as necessary to conduce nondirectional proof measurements, may operate during daytime hours with the substantially adjusted daytime or nighttime directional facilities authorized by the permit and with the power authorized by the permit only as necessary to take proof of performance measurements. Operating power shall be reduced to currently licensed levels when proof measurements are not being taken.

Accordingly, the request for STA IS HEREBY GRANTED. Station WGNZ may operate pursuant to Section 73.1615 and the terms and conditions of Construction Permit BP-20060620ABF. In particular, the following modes of operation are authorized:

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[1] WGNZ is licensed for operation on 1110 kHz with 2.5 kW (1.7 kW critical hours), daytime hours only, employing a directional antenna (DA-2-D). Construction Permit BP-20060620ABF authorizes relocation of the transmitter and an increase in the daytime operating power to 5 kW.

1. During non-critical daytime hours, with a nondirectional antenna and power not to exceed 1.25 kilowatts, only as necessary for nondirectional proof of performance measurements.

2. During non-critical daytime hours, with the substantially adjusted daytime and critical hours directional antenna systems and powers authorized by the permit, only as necessary for final adjustment and proof of performance measurements.

3. During non-critical daytime hours, with the substantially adjusted daytime directional antenna and nominal power not to exceed 2.5 kilowatts, during any significant period when proof of performance measurements are not being conducted.

4. During critical hours, with the substantially adjusted critical hours directional antenna system authorized by the permit and nominal power not to exceed 1.7 kilowatts.

5. During critical hours, with a nondirectional antenna and power not to exceed 0.425 kilowatt, only as necessary to facilitate the construction work.

It will be necessary to further reduce power or cease operation if complaints of interference are received. L&D 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 **December 22, 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 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: L&D Broadcasters, Inc.