FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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February 20, 2007

Peter Gutmann, Esq.
Womble Carlyle Sandridge & Rice
1401 I Street NW, Seventh Floor
Washington, DC 20005

Re: Roberts Communications, Inc.
WXJO (AM), Gordon, Georgia
Facility Identification Number: 25386
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed February 16, 2007, on behalf of Roberts Communications, Inc. ("RCI"). RCI requests special temporary authority ("STA") to operate Station WXJO from a site other than the licensed site.[1] In support of the request, RCI states that Station WXJO has been silent since March 6, 2006, and thus faces the loss of its license if it does not resume broadcasting prior to March 6, 2007. RCI states that it was required to vacate the licensed site due to new tower construction, and was advised by the landlord that the new tower would not be constructed so as to accommodate an AM station. RCI further states that it had obtained Construction Permit BMJP-20050118AEF, for a new, permanent site; however, it belatedly encountered an objection to use of the permit site which compelled a search for a new site. RCI states that it believes it has located a new site and is in the process of negotiating a lease. In the meantime, in order to preserve the station's license, RCI requests STA for operation with temporary facilities, and provides technical details for the proposed STA operation.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service[2] to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area[3] without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation complies with these criteria.

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[1] WXJO is licensed for operation on 1120 kHz with 10 kilowatts, daytime hours only (2.5 kilowatts critical hours), employing a nondirectional antenna (ND-D-D).

[2] For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

[3] For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Accordingly, the request for STA IS HEREBY GRANTED. Station WXJO may operate with the following facilities:

Frequency:	1120 kHz
Geographic coordinates	32° 51' 44" N, 83° 21' 56" W (NAD 1927)
Operating hours:	Daytime only[4]
Operating power	Not to exceed 0.6 kilowatt
Antenna	Formerly licensed WXJO antenna tower
Radiator height	164° (121.9 m)
ASRN[5]	1019741
Antenna efficiency	361.8 mV/m/km/kW[6]

It will be necessary to further reduce power or cease operation if complaints of interference are received. RCI must notify the Commission when licensed operation is restored.[7] RCI 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 **August 20, 2007**.

Notwithstanding the grant of this STA or the expiration date specified herein, **the station's license will expire as a matter of law if it does not resume broadcasting prior to March 6, 2007**. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also Public Notice*, Expedited Processing of Applications Filed by Silent Stations, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

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

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[4] Sunrise and sunset times per current license.

[5] Antenna Structure Registration Number

[6] Millivolts per meter at one kilometer for one kilowatt input

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

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: Roberts Communications, Inc.