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January 4, 2011

John Wells King, Esq.
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1000 Potomac Street NW, 5th Floor
Washington, DC 20007

Re: Rhode Island Public Radio
WRNI (AM), Providence, Rhode Island
Facility Identification Number: 48308
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed January 3, 2011, on behalf of Rhode Island Public Radio ("RIPR"). RIPR requests special temporary authority ("STA") to operate Station WRNI with emergency antenna facilities pursuant to Section 73.1680.[1] In support of the request, RIPR states that extraordinary winter weather conditions have resulted in damage to the transmission lines in the station's directional antenna array. RIPR states that it has restored operation by installing a temporary transmission line to Tower #1, and requests STA for continued operation with an emergency nondirectional antenna and reduced power.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, 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) provides that AM stations using an emergency nondirectional antenna in lieu of authorized directional facilities shall operate with power reduced to 25 percent 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.

Our review indicates that the request complies with Section 73.1680.

Accordingly, the request for STA IS HEREBY GRANTED. Station WRNI may continue to operate with an emergency nondirectional antenna and reduced power not to exceed 2.5 kilowatts, only as necessary pending restoration of directional operation. Authority also is granted for operation with parameters at variance and/or reduced power while maintaining monitor points within licensed limits, pending the filing and processing of an application for direct measurement of operating power, if necessary. It will be necessary to further reduce power

[1] WRNI is licensed for operation on 1290 kHz with 10 kilowatts daytime and 10 kilowatts nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U).

or cease operation if complaints of interference are received. RIPR must notify the Commission when licensed operation is restored.[2] RIPR 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 **July 5, 2011**.

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: Rhode Island Public Radio

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