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MASS MEDIA BUREAU
AUDIO SERVICES DIVISION
TECHNICAL PROCESSING GROUP
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mmb/asd/

PROCESSING ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2665
FACSIMILE: (202) 418-1410
MAIL STOP: 1800B2
INTERNET ADDRESS: cnmiller@fcc.gov

DISPATCHED BY

May 15, 1998

Peter Gutmann, Esq.
Pepper & Corazzini, L.L.P.
1776 K Street NW, Suite 200
Washington, DC 20006

Re: WJNT(AM), Pearl, Mississippi
Buchanan Broadcasting Co.
Special Temporary Authorization

Dear Mr. Gutmann:

This is in reference to your letter dated April 29, 1998, on behalf of Buchanan Broadcasting Co. (BBC). Special temporary authority (STA) is requested for continued operation of Station WJNT with emergency antenna facilities pursuant to 47 CFR § 73.1680.[1]

In support of the request, you state that WJNT is operating nondirectionally with reduced power of 85 watts nighttime due to transmission line damage which precludes use of the licensed nighttime directional antenna system. You state that the licensee has engaged an excavation contractor and has begun the repair work, but has been prevented from completing the work due to severe flooding at the site.

Accordingly, the request for STA IS HEREBY GRANTED. Station WJNT may continue to operate nondirectionally during nighttime hours with reduced power of 85 watts. It will be necessary to further reduce power or cease operation if complaints of interference are received. BBC must notify the Commission when licensed operation is restored.[2] BBC 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 15, 1998**.

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

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[1] WJNT is licensed for operation on 1180 kHz with 50 kilowatts daytime, 10 kilowatts critical hours and 0.5 kilowatt nighttime, employing a directional antenna pattern during nighttime hours only. (DA-N-U).

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

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,

for Edward P. De La Hunt
Supervisory Engineer
Audio Services Division
Mass Media Bureau

cc: Buchanan Broadcasting Co.