

FEDERAL COMMUNICATIONS COMMISSION
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June 26, 2019

Birach Broadcasting Corporation
21700 Northwestern Hwy.
Tower 14, Suite 1190
Southfield, MI 48075

Re: Birach Broadcasting Corporation
WCXI(AM), Fenton, MI
Facility Identification Number: 10475
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed June 25, 2019 on behalf of Birach Broadcasting Corporation ("BBC"). BBC requests special temporary authority ("STA") to operate station WCXI(AM) from an alternate site location.¹ In support of the request, BBC states that WCXI(AM) experienced a failure of its main transmitter at its licensed location and this location does not have an auxiliary or backup transmitter. The station holds a construction permit (CP) for an improved facility with a power increase from an alternate site location. In order to maintain service to the public, WCXI(AM) is requesting operation from the CP site.

Specifically, station WCXI(AM) is requesting STA for non-directional operation from an existing tower at its authorized construction permit site. Station WCXI(AM) is requesting temporary operation at a reduced power level of 0.25 kilowatt.

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 to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area² without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

¹ WCXI(AM) is licensed for operation on 1160 kHz with an unlimited hours power of 1 kilowatt employing a directional antenna pattern (DA1-U). The station is also authorized by construction permit (BMP-20190402AAV) to operate on 1160 kHz from a different location with a daytime power of 15 kilowatts and a nighttime power of 0.4 kilowatt employing different directional antenna patterns (DA2-U).

² For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Accordingly, the request for STA is GRANTED. Station WCXI(AM) may operate from its CP site with the following facilities:

Geographic coordinates	42° 32' 39" N, 83° 33' 36" W (NAD 1927)
Frequency	1160 KHz
Hours of operation	Daytime and Nighttime
Operating power	0.25 kilowatt (daytime), 0.25 kilowatt (nighttime)
Antenna type	Existing tower
Antenna electrical height	82.8°
Overall height of tower above ground	60.6 meters

It will be necessary to further reduce power or cease operation if complaints of interference are received. WCXI(AM) must notify the Commission when licensed operation is restored. WCXI(AM) 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 23, 2019**.

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,

A handwritten signature in black ink that reads "Jerome J. Manarchuck". The signature is written in a cursive style with a large, stylized initial "J" and a long, sweeping tail.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: John C. Trent, Esq. (via email only)