FEDERAL COMMUNICATIONS COMMISSION
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

August 8, 2008

James P. Riley, Esq.
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209-3801

Re: Salem Media of Virginia, Inc.
WAVA (AM), Arlngton, Virginia
Facility Identification Number: 54465
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed August 5, 2008, on behalf of Salem Media of Virginia, Inc. ("SMV"). SMV requests special temporary authority ("STA") to operate Station WAVA with the facilities authorized by construction Permit BP-20080207ABA, but with power reduced to 2.5 kW.[1] In support of the request, SMV states that its licensed tower was dismantled and that the station had been operating pursuant to STA when power to the STA site was lost. SMV states that it has filed an application for license to cover the permit, and requests STA to operate from the permit site pending processing of the license application.

Section 73.1615, which governs operation during modification of facilities, provides that licensees holding construction permits for modification of nondirectional AM facilities may discontinue operation or may operate with temporary facilities to maintain, as nearly as possible, but not exceed, the size of the presently licensed coverage area. Our review indicates that the proposed STA operation complies with Section 73.1615.

Accordingly, the request for STA IS HEREBY GRANTED. Station WAVA may operate with the facilities authorized by Construction permit BP-20080207ABA, with operating power not to exceed 5 kW.[2] SMV 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 **February 8, 2009**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the

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[1] WAVA is licensed for operation on 780 kHz with 5 kilowatts, daytime hours only, employing a nondirectional antenna (ND-D-D). Construction Permit BP-20080207ABA authorizes relocation of the transmitter and a reduction in antenna height.

[2] SMV requests STA for operation with reduced power of 2.5 kW. We note that a power reduction is permissible but not required in this case. Station WAVA is currently licensed for 5 kW with a nondirectional antenna, the same as is authorized by the permit.

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: Salem Media of Virginia, Inc.