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

September 9, 2008

Troy G. Langham, FCC Engineering Supervisor
Clear Channel Technical & Capital Management
2625 South Memorial Drive, Suite A
Tulsa, Oklahoma 74129

Re: Capstar TX Limited Partnership
WSNE(FM), Taunton, Massachusetts
Facility Identification Number: 74069
Special Temporary Authority

Dear Mr. Langham:

This is in reference to the request filed September 8, 2008, on behalf of Capstar TX Limited Partnership ("Capstar"). Capstar requests special temporary authority ("STA") to operate Station WSNE with emergency antenna facilities pursuant to Section 73.1680.[1] In support of the request, Capstar states that the licensed antenna was destroyed by Tropical Storm Hanna. Capstar states that operation has resumed with reduced power, using a single-bay antenna which has been installed on the licensed tower at reduced elevation.

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)(2) provides that FM and TV stations may erect any suitable radiator, or use operable sections of the authorized antenna(s) as an emergency antenna.

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

Geographic coordinates:	41° 51′ 56″ N, 71° 17′ 22″ W (NAD 1927)
Channel	227 (93.3 MHz)
Effective radiated power:	10 kilowatts (H&V)
Antenna height:	
above ground:	137 meters
above mean sea level:	202 meters
Above average terrain:	175 meters

[1] WSNE is licensed for operation on Channel 227B (93.3 MHz) with effective radiated power of 30 kilowatts (Max-DA, H&V) and antenna height above average terrain of 189 meters.

Capstar must notify the Commission when licensed operation is restored. Capstar 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 **March 9, 2009**.

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: Capstar TX Limited Partnership