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August 9, 2010

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

Re: WWVA(AM), Wheeling, West Virginia
Facility Identification Number: 44046
Capstar TX Limited Partnership
Special Temporary Authority

Dear Mr. Langham:

This is in reference to the request filed August 6, 2010, on behalf of Capstar TX Limited Partnership ("Capstar"). Capstar requests special temporary authority ("STA") to operate Station WWVA with an emergency nondirectional antenna and reduced power.[1] In support of the request, Capstar states that an extreme wind event on August 4, 2010, caused the upper portions of all three of the station's towers to collapse, leaving 40- to 50-foot stubs remaining. Capstar states that it has removed the damaged sections of the towers and restored operation using the remaining lower portion of one of the towers, with a horizontal wire attached to the top of the tower stub and running to another stub tower, where it is secured by an insulator.

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 may use a horizontal or vertical wire as an emergency antenna, and 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.

Accordingly, the request for STA IS HEREBY GRANTED. Station WWVA may continue to operate with emergency antenna facilities as described above. Operating power shall not exceed 50 kW daytime and 12.5 kW nighttime. Capstar must notify the Commission when licensed operation is restored.[2] 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

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[1] WWVA is licensed for operation on 1170 kHz with 50 kilowatts daytime and 50 kilowatts nighttime, employing a directional antenna during nighttime hours only (DA-N-U).

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

guidelines. *See* 47 CFR § 1.1310.

This authority expires on **February 9, 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: Capstar TX Limited Partnership