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March 24, 2009

John R. Wilner, Esq.
Bryan Cave LLP
700 Thirteenth Street NW, Suite 600
Washington, DC 20005-3960

Re: Costa-Eagle Radio Ventures Limited Partnership
W221CH (FX), Lawrence, Massachusetts
Facility Identification Number: 155444
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed March 20, 2009, on behalf of Costa-Eagle Radio Ventures Limited Partnership ("CERV"). CERV requests special temporary authority ("STA") to operate FM Translator W221CH with reduced power.[1] In support of the request, CERV states that it has reduced power in response to complaints of interference, pending resolution of the complaints.

Our review indicates that the public interest would be served by grant of the requested STA.

Accordingly, the request for STA IS HEREBY GRANTED. Station W221CH may operate with reduced power. CERV must notify the Commission when licensed operation is restored. CERV 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 **September 24, 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.

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[1] W221CH is licensed (BLFT-20090127ABA) to Newton, New Hampshire for operation on Channel 221D (92.1 MHz) with effective radiated power of 0.15 kilowatt (H only). Construction Permit BPFT-20090130AAI authorizes relocation of the translator to Lawrence, Massachusetts, relocation of the transmitter, and operation with ERP of 0.25 kilowatt (Max-DA, H&V). Application BLFT-20090226AAA, for license to cover the permit, is pending before the Commission. Thus, the permit facilities wil be considered as the "licensed" operation for STA purposes.

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: Costa-Eagle Radio Ventures Limited Partnership