



Federal Communications Commission
Washington, D.C. 20554

March 16, 2021

Radio Broadcasting Services, Incorporated
288 South River Road
Bedford, NH 03110

Re: Radio Broadcasting Services, Incorporated
WCAT(AM), Burlington, VT
Fac. ID No.: 73613
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed March 10, 2021, on behalf of Radio Broadcasting Services, Incorporated ("RBS"). RBS requests special temporary authority ("STA") to operate station WCAT(AM) with reduced hours in accordance with Section 73.1740(a)(4) of the Commission's rules.¹

In support of the request, RBS states that the WCAT(AM) transmitter is presently operational with a 5 kilowatt power output, and the station can return to normal daytime operation with its licensed non-directional antenna. However, there are still unresolved problems with the station's nighttime directional antenna system, which prohibits the station from returning to operation with the nighttime facilities. Repair work requires access to the nighttime directional antenna system and therefore it is necessary to temporarily operate during daytime hours only and remain silent at night except for brief tests of the nighttime facilities. In addition, the station has been silent since April 1, 2020 and therefore it must resume broadcast operations by 12:01 a.m., April 2, 2021 or its license will expire as a matter of law. Thus, the station requests STA to resume licensed broadcast operations during daytime hours only.

Section 73.1740 provides for operation with reduced hours of operation beyond 30 days based on the filing of an informal written request. Station WCAT(AM) has filed a request for temporary operation, and we feel grant of the STA request is warranted so the station can resume broadcast operations.

Accordingly, the request for STA IS HEREBY GRANTED. Station WCAT(AM) may resume broadcast operations during daytime hours only until the necessary repairs are made to the nighttime operation. RBS 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 12, 2021**.

¹ WCAT(AM) is licensed for operation on 1390 kHz with a daytime and nighttime power of 5 kilowatts, employing a directional antenna pattern at night (DAN-U).

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law if broadcast operations do not commence by 12:01 a.m., April 2, 2021. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1)(1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also Public Notice, Expedited Processing of Applications Filed by Silent Stations*, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

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,



Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Barry A. Friedman, Esq. (via email only)