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

March 4, 2008

Henry A. Solomon, Esq.
Garvey Schubert Barer
1000 Potomac Street NW, 5th Floor
Washington, DC 20007

Re: KURS(AM), San Diego, California
Facility Identification Number: 54257
Quetzal Bilingual Communications, Inc.
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed February 24, 2009, on behalf of Quetzal Bilingual Communications, Inc. ("QBC"). QBC requests special temporary authority ("STA") to operate Station KURS with the facilities proposed in Application BP-20090224ABB.[1] In support of the request, QBC states that the licensed tower which it shared with Station KNSN (formerly KSON) suffered structural failure and has been replaced by a new tower of similar height on the same property. QBC seeks STA to operate from the replacement tower pending processing of its application for construction permit.

Our review indicates that the facilities proposed in the pending application are virtually identical to the currently licensed facilities and that continued operation from the old site is not feasible. Our review further indicates that Station KNSN has relocated to the new tower and has filed the necessary spurious emission measurements and diplexing agreement with its pending license application, file No. BL-20090212AET.

Accordingly, the request for STA IS HEREBY GRANTED. Station KURS may operate with the facilities proposed in Application BP-20090224ABB. It will be necessary to reduce power or cease operation if complaints of interference are received. QBC 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 6, 2009**.

---

[1] KURS is licensed for operation on 1040 kHz with 0.37 kW daytime and 0.063 kW nighttime, employing a nondirectional antenna. Application BP-20090224ABB proposes a slight relocation of the transmitter, a 1.1° increase in radiator height and a reduction in power to 0.36 kW daytime and 0.061 kW nighttime.

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: Quetzal Bilingual Communications, Inc.