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September 1, 2009

Kevin P. Latek, Esq.
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1200 New Hampshire Avenue NW, Suite 800
Washington, DC 20036-6802

Re: KGA (AM), Spokane, Washington
Facility Identification Number: 11234
Mapleton License of Spokane, LLC
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed August 31, 2009, on behalf of Mapleton License of Spokane, LLC ("Mapleton"). Mapleton requests special temporary authority ("STA") to operate Station KGA pursuant to Section 73.1615. In support of the request, Mapleton states that it is in the process of constructing modified KGA nighttime facilities as authorized by Construction Permit BP-20070905AAK.¹ Mapleton requests STA for operation during nighttime hours with a nondirectional antenna and reduced power.

Section 73.1615, which governs operation during modification of facilities, provides that AM licensees holding construction permits which involve directional facilities may discontinue operation, may operate with reduced power or with parameters at variance from licensed tolerances while maintaining monitor points within licensed limits, may operate in nondirectional mode during presently licensed hours of directional operation with power reduced to 25% of licensed directional power, may operate during daytime hours only in nondirectional mode with power reduced to 25% of construction permit directional power only as necessary to conduct nondirectional proof measurements, may operate during daytime hours with the substantially adjusted daytime or nighttime directional facilities authorized by the permit and with the power authorized by the permit only as necessary to take proof of performance measurements. Operating power shall be reduced to currently licensed levels when proof measurements are not being taken.

Our review indicates that continuous operation during nighttime hours with a nondirectional antenna, as requested, is not necessary² and is more likely to cause interference to other stations

¹ Station KGA is licensed for operation on 1510 kHz with 50 kW, unlimited hours, employing different directional antenna patterns daytime and nighttime (DA-2-U). Construction Permit BP-20070905AAK authorizes a reduction in nighttime power to 15 kW, and modifications to the nighttime directional pattern.

² Contrary to the representation in the request at Paragraph 2 of Exhibit 13, Special Operating Condition #3 of the KGA construction permit does not preclude operation with the substantially adjusted nighttime directional pattern

than operation with the substantially adjusted directional pattern authorized by the permit. STA will be granted with modification to specify nighttime directional operation to the extent possible.

Accordingly, the request for STA IS HEREBY GRANTED, with modification as discussed above. Station KGA may operate pursuant to Section 73.1615 and the terms and conditions of Construction Permit BP-20070905AAK. In particular, the following modes of operation are authorized:

1. During daytime hours, with a nondirectional antenna and power not to exceed 12.5 kilowatts, only as necessary to facilitate the construction work and for nondirectional proof of performance measurements.³
2. During daytime hours, with the substantially adjusted daytime or nighttime directional antenna system and power authorized by the permit, only as necessary for final adjustment and proof of performance measurements.
3. During nighttime hours, with a nondirectional antenna and power not to exceed 12.5 kilowatts, only as necessary to facilitate the construction work.
4. During nighttime hours, with the substantially adjusted nighttime directional antenna system authorized by the permit and nominal power not to exceed 15 kilowatts.

It will be necessary to further reduce power or cease operation if complaints of interference are received. Mapleton 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. Operation pursuant to this authority shall not commence until sufficient diplexing equipment has been installed and properly adjusted to reduce all spurious emissions resulting from shared use of the antenna system by Stations KGA and KJRB below the levels specified in 47 CFR Section 73.44(b).

This authority expires on **March 1, 2010**.

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.

pursuant to Section 73.1615.

³ If final adjustment and proof of performance will be performed via Method of Moments analysis, nondirectional proof of performance measurements are not necessary.

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: Mapleton License of Spokane, LLC