# FEDERAL COMMUNICATIONS COMMISSION
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January 27, 2010

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1200 New Hampshire Avenue NW, Suite 800
Washington, DC 20036-6802

Re: Mapleton License of San Francisco, LLC
KPIG (AM), Piedmont, California
Facility Identification Number: 40137
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed January 13, 2010, on behalf of Mapleton License of San Francisco, LLC ("Mapleton"). Mapleton requests special temporary authority ("STA") to operate Station KPIG pursuant to Section 73.1615.[1] In support of the request, Mapleton states that it is in the process of completing construction of modified KPIG facilities as authorized by Construction Permit BP-20070905AAM. Mapleton requests STA for operation during nighttime hours with a nondirectional antenna and reduced power of 0.58 kilowatt.

Section 73.1615, which governs operation during modification of facilities, provides, *inter alia*, that AM licensees holding construction permits which involve directional facilities operate in nondirectional mode during presently licensed hours of directional operation with power reduced to 25% of licensed directional power.

Our review indicates that the request complies with Section 73.1615.

Accordingly, the request for STA IS HEREBY GRANTED. Station KPIG may operate during nighttime hours with a nondirectional antenna and reduced power not to exceed 0.58 kilowatts, only as necessary to facilitiate the construction work. It will be necessary to further reduce power or cease operation if complaints of interference are received. Mapleton must notify the Commission when licensed operation is restored.[2] 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.

This authority expires on **July 27, 2010**.

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[1] KPIG is licensed for operation on 1510 kHz with 8 kilowatts daytime and 0.23 kilowatt nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U).

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

**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: Mapleton License of San Francisco, LLC