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January 27, 2010

(Reissued February 12, 2010, to correct typographical error in Paragraph 1)

Gary Shorman
Eagle Communications, Inc.
2703 Hall Street, Suite 15
Hays, Kansas 67601-1987

Re: Eagle Communications, Inc.
KESJ (AM), St. Joseph, Missouri
Facility Identification Number: 8767
Special Temporary Authority

Dear Mr. Shorman:

This is in reference to the request filed January 22, 2010, on behalf of Eagle Communications, Inc. ("ECI"). ECI requests special temporary authority ("STA") to operate Station KESJ with its substantially adjusted daytime and nighttime directional patterns .[1] In support of the request, ECI states that it plans to replace the station's sampling system and to convert the KESJ license to a Method of Moments ("MOM") proof of performance.

Our review indicates that, due to the derivation of new operating parameters via MOM analysis, neither the currently licensed antenna monitor readings nor the licensed monitor point field strength limits will necessarily be applicable to the proposed nighttime STA operation with MOM-derived operating parameters.

Accordingly, the request for STA IS HEREBY GRANTED. Station KESJ may operate during nighttime hours with parameters at variance and/or reduced power while maintaining monitor points within licensed limits, pending the completion of repairs and modifications to the sampling system. Following completion of the sampling system work, the taking of necessary measurements and adjustment of the array to MOM-derived operating parameters, KESJ may operate with its substantially adjusted nighttime directional antenna system pending the filing and processing of an application for modification of license supported by a MOM proof of performance pursuant to 47 C.F.R. Section 73.151(c). Operating parameters shall be maintained as specified in the request[2]. It will be necessary to further reduce power or cease operation if

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[1] KESJ is licensed for operation on 1550 kHz with 5 kilowatts daytime and 5 kilowatts nighttime, employing a directional antenna during nighttime hours only (DA-N-U).

[2] Operating parameters shall be maintained within ± 5% current ratios and ± 3° phase of the moment method derived parameters, which must be posted with the station license along with a copy of this letter.

complaints of interference are received. ECI 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**.

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: Eagle Communications, Inc.