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April 7, 2010

Aaron P. Shainis, Esq.
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1850 M Street, NW, Suite 240
Washington, DC 20036

Re: KFCD (AM), Farmersville, Texas
Facility Identification Number: 43757
Bernard Dallas LLC
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed April 6, 2010, on behalf of Bernard Dallas LLC ("BDL"). BDL requests special temporary authority ("STA") to operate Station KFCD with parameters at variance and/or reduced power while maintaining monitor points within licensed limits, and for operation with its substantially adjusted daytime and nighttime directional antenna patterns.[1] In support of the request, BDL states that it has installed an STL antenna on one of the station's towers and that it is preparing to convert the KFCD 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 STA operation. STA will be granted as requested.

Accordingly, the request for STA IS HEREBY GRANTED. Station KFCD may operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. Following completion of necessary measurements and adjustments, operation is authorized with the substantially adjusted daytime and nighttime directional antenna systems 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 reduce power or cease operation if complaints of interference are received. BDL must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess

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[1] KFCD is licensed for operation on 990 kHz with 7 kilowatts daytime and 0.92 kilowatt nighttime, employing different directional patterns daytime and nighttime (DA-2-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.

of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **October 7, 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: Bernard Dallas LLC