

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET SW**  
**WASHINGTON DC 20554**

**MEDIA BUREAU**  
**AUDIO DIVISION**  
**APPLICATION STATUS:** (202) 418-2730  
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September 19, 2013

Victor A. Michael, Jr.  
Kona Coast Radio, LLC  
87 Jasper Lake Road  
Loveland, CO 80537

Re: Kona Coast Radio, LLC  
KDEB(AM), Estes Park, Colorado  
Facility Identification Number: 67483  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed September 17, 2013, on behalf of Kona Coast Radio, LLC ("KCR"). KCR requests special temporary authority ("STA") to operate Station KDEB(AM) with temporary facilities.<sup>1</sup> In support of the request, KCR states the station is currently silent as it lost its tower site ground lease last year and the licensed tower has been dismantled. In addition, KCR states that KDEB(AM) has been silent since September 20, 2012 and by law the station's license will be revoked if it does not return to normal broadcasting by tomorrow. Therefore, KCR is proposing to operate daytime only with a temporary long wire antenna from a site located 2.6 kilometers from the licensed site. A power level of 30 watts is requested.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service<sup>2</sup> to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area<sup>3</sup> without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation complies with the foregoing criteria.

We conclude that an STA for temporary operation is warranted, and the STA IS GRANTED. Station KDEB(AM) may operate with the following facilities:

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<sup>1</sup> KDEB(AM) is licensed for operation on 1470 kHz with 1 kilowatt daytime and 0.053 kilowatt nighttime, employing a nondirectional antenna (ND-1-U).

<sup>2</sup> For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

<sup>3</sup> For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Geographic coordinates	40° 21' 38" N, 105° 31' 12" W (NAD 1927)
Frequency	1470 KHz
Hours of operation	Daytime only
Operating power	0.03 kilowatt
Antenna type	Long wire

We expect that KDEB(AM) shall continue this temporary operation authorized herein without interruption, through the six month term of this STA or until the licensee restores permanent, authorized operation. Extension requests for this STA may be granted by the staff if circumstances warrant.

It will be necessary to further reduce power or cease operation if complaints of interference are received. KDEB(AM) must notify the Commission when licensed operation is restored. KDEB(AM) 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 **March 18, 2014**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law upon twelve consecutive months of silence. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also Public Notice, Expedited Processing of Applications Filed by Silent Stations*, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

**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,



Jerome J. Manarchuck  
Audio Division  
Media Bureau

cc: Kona Coast Radio, LLC