

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

**MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS:** (202) 418-2730
HOME PAGE: www.fcc.gov/media/radio/audio-division

ENGINEER: Jerome J. Manarchuck
TELEPHONE: (202) 418-7226
FACSIMILE: (202) 418-1410
E-MAIL: Jerome.Manarchuck@fcc.gov

April 20, 2016

Metals Broadcasting Co., Inc.
P.O. Box 828
Osburn, ID 83849

Re: Metals Broadcasting Co., Inc.
KWAL(AM), Wallace, Idaho
Facility Identification Number: 41318
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed April 14, 2016, on behalf of Metals Broadcasting Co., Inc. ("MBC"). MBC requests special temporary authority ("STA") to operate nighttime with emergency antenna facilities pursuant to Section 73.1680.¹ In support of the request, MBC states that on April 9, 2016, the north tower of the KWAL(AM) antenna array collapsed after one of the guy wires was struck by a truck. This has made operation of the licensed nighttime directional antenna temporarily impossible. Therefore, MBC requests STA to operate non-directionally at night with reduced power.

Specifically, KWAL(AM) proposes to operate non-directionally at night using the daytime antenna system. Operation is proposed from the south tower of the array with the power reduced to 25% of the licensed nighttime power. No changes are proposed to the daytime operation.

Section 73.1680 of the Commission's rules provide for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(1) states that AM stations may use a horizontal or vertical wire or a nondirectional vertical element of a directional antenna as an emergency antenna. AM stations using an emergency nondirectional antenna or a horizontal or vertical wire pursuant to this section, in lieu of authorized directional facilities, shall operate with power reduced to 25% or less of the nominal licensed power, or, a higher power, not exceeding licensed power, while insuring that the radiated field strength does not exceed that authorized in any given azimuth for the corresponding hours of directional operation.

¹ KWAL(AM) is licensed for operation on 620 kHz with a daytime and nighttime power of 1 kilowatt, employing a directional antenna pattern at night (DAN-U).

Accordingly, the request for STA IS HEREBY GRANTED. Station KWAL(AM) may operate during nighttime hours with an emergency non-directional antenna by employing tower #2 of the array. The nighttime power must not exceed 250 watts. It will be necessary to further reduce or cease operation if complaints of interference are received. MBC 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 **October 17, 2016**.

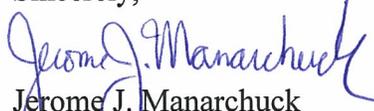
STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice 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: Dan J. Alpert, Esq. (via email only)