FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
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June 21, 2007

David D. Oxenford, Esq.
Davis Wright Tremaine LLP
1919 Pennsylvania Avenue NW, Suite 200
Washington, DC 20006-3402

Re: KYLV(FM), Oklahoma City, Oklahoma
Facility Identification Number: 50169
Educational Media Foundation
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed June 7, 2007, on behalf of Educational Media Foundation ("EMF"). EMF requests special temporary authority ("STA") to operate Station KYLV with temporary facilities.[1] In support of the request, EMF states that it completed construction of modified facilities for Station KYLV as authorized by Construction Permit BPED-20040210AAQ (*See* Note 1, below) and filed an application for license to cover the permit on June 2, 2007. EMF states that its engineer had reported some anomalies to the antenna manufacturer during the construction work and that, on June 4, 2007, the manufacturer reported to EMF that it had incorrectly fabricated the brackets for the directional antenna, resulting in misorientation of the antenna. EMF requests STA for operation with the misaligned antenna and reduced transmitter output power of 2.3 kilowatts.

Our review indicates that no directional antenna data were filed with the STA request; thus, we are unable to find that the proposed STA operation will not cause interference to other stations. Consequently, STA will be granted with a power reduction corresponding to the minimum effective radiated power of the directional pattern; i.e., 5.0 kilowatts.

Accordingly, the request for STA IS HEREBY GRANTED, with a power reduction as discussed above. Station KYLV may operate from its licensed site with the following facilities:

Channel	205 (88.9 MHz)
Effective radiated power:	**5.0 kilowatts** (Max-DA, H&V)
Transmitter output power:	**0.96 kilowatt**
Antenna height:	
above ground:	195 meters

[1] KYLV is licensed for operation on Channel 205C3 (88.9 MHz) with effective radiated power ("ERP") of 4.4 kilowatts (H&V) and antenna height above average terrain of 206 meters. Construction Permit BPED-20040210AAQ authorizes an upgrade to Class C3, the installation of a directional antenna at the currently licensed site and elevation and an increase in the maximum ERP to 39 kilowatts. Application BLED-20070604AAC, for license to cover the permit, is on file with the Commission.

above mean sea level:	555 meters
Above average terrain:	206 meters

EMF must notify the Commission when licensed operation is restored. EMF 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 **September 21, 2007**.

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: Educational Media Foundation