FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

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

ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
E-MAIL: charles.miller@fcc.gov

October 31, 2007

Margaret L. Miller, Esq.
Dow Lohnes PLLC
1200 New Hampshire Avenue NW, Suite 800
Washington, DC 20036-6802

Re: KUMD-FM, Duluth, Minnesota
Facility Identification Number: 55571
Regents of the University of Minnesota
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed October 30, 2007, on behalf of Regents of the University of Minnesota ("UM"). UM requests special temporary authority ("STA") to operate Station KUMD-FM with emergency antenna facilities pursuant to Section 73.1680.[1] In support of the request, UM states that the licensed antenna burned up. UM states that it has installed an emergency one-bay antenna on the licensed tower.

Section 73.1680 of the Commission's rules provides 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)(2) provides that FM and TV stations may erect any suitable radiator, or use operable sections of the authorized antenna(s) as an emergency antenna.

Accordingly, the request for STA IS HEREBY GRANTED. Station KUMD-FM may operate with the following facilities:

Geographic coordinates:	46° 47′ 31″ N, 92° 07′ 21″ W (NAD 1927)
Channel	277 (103.3 MHz)
Effective radiated power:	2.76 kilowatts (H&V)
Antenna height:	
above ground:	181 meters
above mean sea level:	565 meters
Above average terrain:	250 meters

UM must notify the Commission when licensed operation is restored. UM must use whatever

[1] KUMD-FM is licensed for operation on Channel 277C1 (103.3 MHz) with effective radiated power of 95 kilowatts (H&V) and antenna height above average terrain of 250 meters.

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 **May 1, 2008**.

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: Regents of the University of Minnesota