# FEDERAL COMMUNICATIONS COMMISSION
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September 3, 2008

Robert F. Kelley, Jr., Consulting Engineer
125 Tun Jesus Crisistomo Street
Tamuning, Guam 96913

Re: KZGZ(FM), Agana, Guam
Facility Identification Number: 33082
Sorenson Pacific Broadcasting, Inc.
Special Temporary Authorization

Dear Mr. Kelley:

This is in reference to the request filed August 29, 2008, on behalf of Sorenson Pacific Broadcasting, Inc. ("SPB"). SPB requests special temporary authority ("STA") to operate Station KZGZ with temporary facilities.[1] In support of the request, SPB states that the station's main transmitter is malfunctioning and that its main antenna had been jointly used by another station which has relocated to another tower, and that the station is broadcasting with an emergency antenna mounted slightly higher than the licensed antenna, but with greatly reduced effective radiated power. SPB states that it expects its transmitter to be repaired by late September, and that it has ordered a new antenna to be installed in January, 2009.

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 KZGZ may operate from its licensed site with the following facilities:

| | |
|---|---|
| Channel | 248 (97.5 MHz) |
| Effective radiated power: | 0.6 kilowatts (V only) |
| Antenna height: | |
| above ground: | 43 meters |
| above mean sea level: | 238 meters |
| Above average terrain: | 179 meters |

[1] KZGZ is licensed for operation on Channel 248C2 (97.5 MHz) with effective radiated power of 40 kilowatts (H&V) and antenna height above average terrain of 164 meters.

SPB must notify the Commission when licensed operation is restored. SPB 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 3, 2009**.

**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: Sorenson Pacific Broadcasting, Inc.