

**FEDERAL COMMUNICATIONS COMMISSION
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June 19, 2007

Cary S. Tepper, Esq.
Booth, Freret, Imlay & Tepper, P.C.
5101 Wisconsin Avenue NW, Suite 307
Washington, DC 20016-4120

Re: KNYD (FM), Broken Arrow, Oklahoma
Facility Identification Number: 14429
Creative Educational Media Corporation, Inc.
Special Temporary Authorization

Dear Mr. Tepper:

This is in reference to the request filed May 30, 2007, on behalf of Creative Educational Media Corporation, Inc. (CEMC). CEMC requests special temporary authority (STA) to operate Station KNYD from a site other than the licensed site.¹

In support of the request, CEMC states that the lease on the licensed site is expiring and will not be renewed and that it is in the process of obtaining necessary tower clearance prior to filing an application for new, permanent facilities. CEMC requests STA for operation from the site of commonly owned Station KDIM-FM. CEMC provides technical details for the proposed STA operation.

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 service² to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area³ 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 would result in a substantial extension of the 60 dBu contour beyond the licensed contour toward the southwest. However, if the effective radiated power were reduced to 4 kilowatts, the extension would be eliminated. STA will be granted with a power reduction to 4 kilowatts.

¹ KNYD is licensed for operation on Channel 213C (90.5 MHz) with effective radiated power of 100 kilowatts (H), 88 kilowatts (V) and antenna height above average terrain of 499 meters.

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

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

Accordingly, the request for STA IS HEREBY GRANTED, with a power reduction as discussed above. Station KNYD may operate with the following facilities:

Geographic coordinates:	35° 42' 24" N, 96° 05' 39" W (NAD 1927)
Channel	213 (90.5 MHz)
Effective radiated power:	Not to exceed 4 kilowatts (V), 0.015 kilowatt (H)
Antenna height:	
above ground:	125 meters
above mean sea level:	391 meters
above average terrain:	168 meters

Operation shall not commence until sufficient diplexing equipment has been installed and properly adjusted to reduce all spurious emissions below the levels specified in 47 CFR Section 73.317. Within 10 days after commencement of operation, CEMC must submit the results of measurements which demonstrate compliance with the above condition. CEMC 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. It is anticipated that an application for construction permit for new, permanent facilities will be filed prior to the expiration date below.

This authority expires on **December 19, 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,

A handwritten signature in black ink, appearing to read "Charles N. Miller". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Creative Educational Media Corporation, Inc