

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

June 9, 2015

Oasis of Faith, Inc.
P.O. Box 3431
McAllen, TX 78502

Re: KPCV (FM), Portales, NM
Oasis of Faith, Inc.
Facility Identification Number: 170140
Special Temporary Authority
BSTA-20150604ABU

Dear Licensee:

This is in reference to the captioned request filed June 4, 2015, on behalf of Oasis of Faith, Inc. ("Oasis"). Oasis requests Special Temporary Authority ("STA") to resume broadcasting with the licensed antenna and site, but at reduced power. KPCV went silent on June 14, 2014, and **Oasis must return KPCV to operating status no later than June 14, 2015** to avoid automatic cancellation of the station's license pursuant to Section 312(g) of the Communications Act.¹ Oasis explains that operation at licensed power is not possible because of transmitter failure, and the manufacturer of the equipment is no longer in business. Oasis will use a loaner transmitter to maintain 20% of licensed effective radiated power.

Under the circumstances, we conclude that an STA for operation with licensed parameters -- except reduced power -- is warranted, and the STA IS GRANTED. We expect that Oasis shall continue the KPCV temporary operation authorized herein, through the term of this STA period or until the licensee restores licensed operation. Extension requests for this STA may be granted by the staff if circumstances warrant. Requests for extension must explain what efforts the licensee has taken toward restoring licensed operation during the current STA period.

On the same date that KPCV commences operations pursuant to this STA, the licensee (or its representative) shall confirm the start of STA operations via an e-mail to Dale Bickel, dale.bickel@fcc.gov. This date will be entered into the Commission's CDBS database to indicate that the station has resumed broadcasting. Oasis must also file a Notice of Resumption of Operation through the Commission's CDBS licensing system.

Oasis must use whatever means are necessary to protect workers and the public from radiofrequency exposure in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310.

This authority expires on December 6, 2015.

¹ Oasis filed license application BLED-20111216ACK on December 16, 2012 to cover on the initial construction permit BNPED-20071019ACM. The license was granted January 3, 2012. On July 15, 2014, Oasis filed silent STA request BLSTA-20140715ABU, saying that the station was silent because of issues with the station transmitter. The silent STA was granted August 20, 2014, and stated that the station must resume operation before 12:01 AM on June 15, 2015 to avoid automatic forfeiture of the station license under Section 312(g) of the Communications Act.

We remind the licensee that the station's license will expire as a matter of law upon twelve consecutive months of silence [**ending June 14, 2015**], notwithstanding the grant of the present STA. See Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and Order, Silent Station Authorizations, FCC 96-218 (released May 17, 1996). See also Public Notice, *Expedited Processing of Applications Filed by Silent Stations*, DA 96-818 (May 22, 1996). Please be aware that unauthorized operations – operations with facilities not authorized by a current STA or license – do not count as a resumption of operations within one year for the purposes of Section 312(g) of the Communications Act, and cannot be used to avoid the consequences of Section 312(g). See *A-O Broadcasting Corporation*, FCC 08-10, 23 FCC Rcd 603, released January 8, 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,



Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Scott Woodworth (via e-mail only)