

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 1, 2010

Lee D. Weinstein
U.S. Capital, Inc.
2975 Valmont Road, Suite 230
Boulder, Colorado 80301

Re: KITT(FM), Soda Springs, Idaho
Facility Identification Number: 17436
Tri-State Media Corporation
Special Temporary Authorization

Dear Mr. Weinstein:

This is in reference to the request filed September 15, 2010, on behalf of Tri-State Media Corporation ("TSM"). TSM requests extension of the special temporary authority ("STA") granted on March 16, 2010, for operation with STA facilities granted on September 9, 2005, and most recently extended through December 17, 2009.¹

In support of the request, TSM states that KITT was involved in a rulemaking proceeding (MB Dkt. 05-243) which ended in an Bureau Order released on January 18, 2008. The order changed KITT's licensed location from Soda Springs, Idaho to Wilson, Wyoming, but made the start of operations at the new location contingent on third-party station KAOX(FM) moving its operations. As of this date, KAOX(FM) has not moved and the contingency remains unsatisfied. Consequently, by necessity, KITT still operates from Soda Springs and cannot move to its new location due to the circumstance of KAOX failing to move, which is beyond TSM's control.

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

¹ Station KITT is licensed to Soda Springs, Idaho, for operation on Channel 261A (100.1 MHz) with effective radiated power ("ERP") of 3 kilowatts (H only), and antenna height above average terrain ("HAAT") of -84 meters. Construction Permit BPH-20080403ABH authorizes relocation of the station to Wilson, Wyoming, an upgrade to Class C2, relocation of the transmitter, and operation with ERP of 11 kilowatts (H&V) and HAAT of 320 meters.

the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Our review indicates that the licensee has been prevented from restoring licensed operation due to causes beyond its control and has taken all possible steps to expeditiously resolve the problem. Thus, extension of STA is warranted.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station KITT may continue to operate with the following facilities:

Geographic coordinates:	42° 37' 48" N, 111° 41' 00" W (NAD 1927)
Channel	261 (100.1 MHz)
Effective radiated power:	0.1 kilowatt (Max-DA, H&V)
Antenna manufacturer and type:	Scala, CA5-FM/CP, directional
Antenna orientation:	70° True
Antenna height:	
above ground:	15 meters
above mean sea level:	2140 meters
above average terrain:	352 meters

TSM 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 **April 1, 2011**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Tri-State Media Corporation