

**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/](http://www.fcc.gov/mb/audio/)

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April 22, 2013

Howard Lieberman  
Drinker, Biddle & Reath, LLP  
1500 K Street NW, Suite 1100  
Washington, DC 20005

Re: KBYZ (FM), Bismarck, ND  
Facility Identification Number: 43221  
Townsquare Media Bismarck License, LLC  
Special Temporary Authorization  
BSTA-20130415ABM

Dear Counsel:

This is in reference to the request filed April 15, 2013, on behalf of Townsquare Media Bismarck License, LLC ("Townsquare"). Townsquare requests special temporary authority ("STA") to operate Station KBYZ with temporary facilities, due to failure of the antenna and transmission line.<sup>1</sup> The station resumed emergency operation with a one bay antenna at reduced height, at approximately 1.0 kW ERP. The requested STA would permit continued operation while repairs continue.

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

Geographic coordinates:	46° 35' 24" N, 100° 47' 46" W (NAD 1927)
Channel	243 (96.5 MHz)
Effective radiated power:	1 kilowatt (H&V)
Antenna height:	
above ground:	62 meters
above mean sea level:	736 meters
Above average terrain:	157 meters

Townsquare must notify the Commission when licensed operation is restored. Townsquare 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 **July 22, 2013**.

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<sup>1</sup> KBYZ is licensed to operate on Channel 243C1 (96.5 MHz) with an effective radiated power of 100 kilowatts and an antenna height above average terrain of 294 meters.

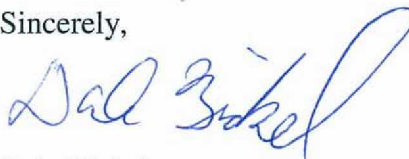
**STA Advisory:** Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice 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: Townsquare Media Bismarck License, LLC