

FEDERAL COMMUNICATIONS COMMISSION
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December 12, 2011

Kathleen Victory, Esq.
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209-3801

Re: Calvary Chapel of Kansas City
K229AU(FX), Lee's Summit, Missouri
Facility Identification Number: 145422
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed December 9, 2011, on behalf of Calvary Chapel of Kansas City ("CCKC"). CCKC requests special temporary authority ("STA") to operate FM Translator K229AU with temporary facilities.¹ In support of the request, CCKC states that it has been displaced by a full-service station and has filed an application to move to a new channel. In the interim, CCKC requests STA to return to its formerly licensed site to test the extent of interference with the full-service station from that site.

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 complies with the foregoing criteria.

Accordingly, the request for STA IS HEREBY GRANTED. Station K229AU may operate with the following facilities:

Geographic coordinates:	38° 57' 31" N, 94° 26' 39" W (NAD 1927)
Channel	229 (93.7 MHz)
Effective radiated power:	0.099 kilowatt (V only)
Antenna height:	
above ground:	7 meters

¹ K229AU is licensed for operation on Channel 229D (93.7 MHz) with effective radiated power of 0.05 kilowatt (H&V) and antenna height above average terrain of 349 meters. Application BPFT-20111205ALC proposes a change in frequency to Channel 300D (107.9 MHz).

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.

above mean sea level: 250 meters
above average terrain: -31 meters

CCKC must notify the Commission when licensed operation is restored. CCKC 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 12, 2012**.

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: Calvary Chapel of Kansas City