

**FEDERAL COMMUNICATIONS COMMISSION**  
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June 26, 2009

Brian M. Madden, Esq.  
Lerman Senter PLLC  
2000 K Street NW, Suite 600  
Washington, DC 20006-1809

Re: Entercom Kansas City License, LLC  
KMBZ (AM), Kansas City, Missouri  
Facility Identification Number: 6382  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed June 25, 2009, on behalf of Entercom Kansas City License, LLC ("Entercom"). Entercom requests special temporary authority ("STA") to operate Station KMBZ with reduced power.<sup>1</sup> In support of the request, Entercom states that it is conducting repair work on its licensed daytime tower. In order to provide for the protection of workers, Entercom requests STA for operation during daytime hours from its nighttime Tower #2, with reduced power.

Our review indicates that the request complies with the technical provisions of Section 73.1615, which governs operation during modification of facilities, and that interference to other stations is not likely to occur.

Accordingly, the request for STA IS HEREBY GRANTED. Station KMBZ may operate during daytime hours with reduced power, using nighttime Tower #2 an alternate nondirectional antenna. It will be necessary to further reduce power or cease operation if complaints of interference are received. Entercom must notify the Commission when licensed operation is restored.<sup>2</sup> Entercom 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 **December 26, 2009**.

**STA Advisory:** Section 309(f) of the Communications Act of 1934, as amended, authorizes the

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<sup>1</sup> KMBZ is licensed for operation on 980 kHz with 5 kilowatts daytime and 5 kilowatts nighttime, employing a directional antenna during nighttime hours only (DA-N-U).

<sup>2</sup> See 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).

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: Entercom Kansas City License, LLC