

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: Dale Bickel
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
E-MAIL: dale.bickel@fcc.gov

December 12, 2012

Dawn M. Sciarrino, Esq.
Sciarrino & Shubert, PLLC
5425 Tree Line Drive
Centreville, VA 20120

Re: KUDE (FM), Nephi, Utah
Facility Identification Number: 72769
SLC Divestiture Trust I
Special Temporary Authorization
BESTA-20121120AAM

Dear Counsel:

This is in reference to the request filed May 24, 2012, on behalf of SLC Divestiture Trust I ("SLC"). SLC requests a seventh extension of the special temporary authority ("STA") granted on January 11, 2008, to operate Station KUDE with emergency antenna facilities pursuant to Section 73.1680¹. In support of the request, SLC states that it has entered into a new lease at its licensed site and has just purchased the necessary equipment to rebuild the facility. SLC states that wildfires over the past summer damaged the power line, and early snowfall has now made the site inaccessible.

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.

¹ KUDE is licensed for operation on Channel 280C (103.9 MHz) with effective radiated power of 74 kilowatts (H only) and antenna height above average terrain of 684 meters. KUDE holds construction permit BPH-20101220ABB for operation with the same facilities, except on Channel 256C (this construction permit was a replacement for expired permit BPH-20040623ABX). The channel change was required by the *Report and Order* in MB Docket 02-290, DA 04-1650, 19 FCC Rcd 10327 (2004).

Construction permit BPH-20071119AEV for KNYN (FM), Fort Bridger, WY on Channel 280C1, awaits implementation of KUDE's construction permit BPH-20101220ABB.

The licensee's statements indicate some progress has been made toward restoring licensed operation, thus, extension of STA is minimally warranted.

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

Geographic coordinates:	40° 16' 58" N, 111° 56' 11" W (NAD 1927)
Channel	280 (103.9 MHz)
Effective radiated power:	0.2 kilowatt (Max-DA, H&V)
Antenna	Nicom, model BKY3P, directional
Antenna orientation	95° True
Antenna height:	
above ground:	24 meters
above mean sea level:	2347 meters
ASRN ²	1251577

SLC 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 **June 12, 2013**.

Any future request for extension of this authority must include an attachment documenting SLC's progress in implementing the channel change to Channel 256C required by KUDE's construction permit BPH-20101220ABB. Failure to provide this information, or providing incomplete information, may result in modification of future STA terms, or cancellation of KUDE's STA authority on Channel 280.

Sincerely,



Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: SLC Divestiture Trust I
: M. Kent Frandsen

² Antenna Structure Registration Number