

FEDERAL COMMUNICATIONS COMMISSION
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September 21, 2009

Kevin P. Latek, Esq.
Dow Lohnes PLLC
1200 New Hampshire Avenue NW, Suite 800
Washington, DC 20036-6802

Re: KJRB(AM), Spokane, Washington
Facility Identification Number: 11235
Mapleton License of Spokane, LLC
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed September 17, 2009, on behalf of Mapleton License of Spokane, LLC ("Mapleton"). Mapleton requests special temporary authority ("STA") to operate Station KJRB with parameters at variance and/or reduced power while maintaining monitor points within licensed limits, and with a nondirectional antenna and reduced power.¹ In support of the request, Mapleton states that the requested STA is necessary to accommodate modification of the facilities of co-located Station KGA.

Our review indicates that the proposed STA operation complies with the technical provisions of Section 73.1615, which governs operation during modification of facilities.

Accordingly, the request for STA IS HEREBY GRANTED. Station KJRB may operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. Operation with a temporary nondirectional antenna and reduced power not to exceed 1.25 kW daytime and 0.95 kW nighttime also is authorized, only as necessary to accommodate the construction work. It will be necessary to reduce power or cease operation if complaints of interference are received. KJRB 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 21, 2010**.

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

¹ KJRB is licensed for operation on 790 kHz with 5 kW daytime and 3.8 kW nighttime, employing different directional antenna patterns during daytime and nighttime hours. (DA-2-U).

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,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a stylized flourish at the end.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Mapleton License of Spokane, LLC