

# ***KLEIN BROADCAST ENGINEERING, L.L.C.***

*dedicated to improving the science and technology of radio & television communications*

**JUNE 2009**

**ADDENDUM/AMENDMENT TO REQUEST  
FOR  
SPECIAL TEMPORARY AUTHORITY  
(STA)  
TO OPERATE WITH TEMPORARY FACILITY  
MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT  
KBAQ(FM)  
(FCC Facility ID# 40096)  
FM CHANNEL 208C1 / 89.5mHz.  
PHOENIX, ARIZONA**

## **INTRODUCTION and STATEMENT**

The Commission has before it a request for Special Temporary Authority to operate Station KBAQ with a Temporary Facility to all for the implementation of construction of modified facilities authorized by the Commission in FCC FM Broadcast Station Construction Permit BPED-20060227AHT. The permittee/licensee, Maricopa County Community College District (MCCCD) wishes to update the Commission on several material facts that have occurred over the past several months since the formal STA request was originally filed with the Commission. When taken into consideration these facts make it considerably easier for the Commission staff to evaluate the request for STA and grant the request as filed.

**STA Request cont'd page two: KBAQ(FM)**

**The following facts are true of my own knowledge:**

**1. I prepared and filed an application on behalf of MCCCCD with the South Mountain Users Association to evaluate the location of the facility authorized by the Commission in BPED-20060227AHT on February 20, 2009. On March 25, 2009, The South Mountain Users Association approved the location of the KBAQ facilities as authorized in the above captioned construction permit on the South Mountain Electronic Communications Site. (please see Exhibit E-1 attached)**

**2. I prepared and filed an application on behalf of MCCCCD with the City of Phoenix Parks Board to locate Station KBAQ(FM) on the South Mountain Electronic Communication Site as authorized by the Commission for the facility as specified in the above caption FCC FM Broadcast Station Construction Permit on or about February 20, 2009. On Thursday April 23, 2009, The City of Phoenix Parks Board approved the relocation of Station KBAQ(FM) to the South Mountain Electronic Communication Site as proposed with the facility authorized in FCC FM Broadcast Station Construction Permit, BPED-20060227AHT.(please see exhibit E-2,attached)**

**3. On Wednesday, April 15, 2009, MCCCCD issued an email sent to Mr. Jim Cole of KTVK, Inc., terminating the lease held for Station KBAQ at its presently licensed transmitter site atop White Tanks Mountain, near Phoenix, Arizona. (please see Exhibit E-3, attached)**

**STA Request cont'd page three: KBAQ(FM)**

**4. On May 27, 2009, the Governing Board of Directors approved the purchase of the ERI Directional Antenna needed to implement the relocation of Station KBAQ(FM) to the authorized South Mountain Electronic Communications Site. (please see Exhibit E-4)**

**5. On June 4, 2009, MCCCCD issued a Purchase Order to Klein Broadcast Engineering, L.L.C., for the purchase and installation of the Directional Antenna System Authorized by the Commission in BPED-20060227AHT. On the 5<sup>th</sup> of June an order was placed with the antenna manufacturer, Electronics Research, Inc. for the KBAQ Directional Antenna. The antenna is to be delivered in Phoenix at the KBAQ site on or before August 30, 2009. (please see Exhibits E-5 and E-6, attached)**

**STA Request cont'd page four: KBAQ(FM)**

**It is for the compelling reasons filed in the original STA Request for Station KBAQ and now the updated information and this amendment filed for the STA Request for informational purposes, the permittee/licensee of FM Broadcast Station KBAQ, The Maricopa County Community College District, requests the Commission consider and GRANT the request for Special Temporary Authority to operate FM Station KBAQ with the temporary facility as specified to facilitate and allow the permittee/licensee to construct the facility for Station KBAQ authorized in FCC FM Broadcast Station Construction Permit, BPED-20060227AHT.**

**Respectfully submitted,**

**Elliott Kurt Klein,  
Consulting Broadcast Engineer  
Maricopa County Community College District  
NCE FM Station KBAQ  
Phoenix, Arizona**

**20 June 2009**



P. O. Box 42277 • Mesa, Arizona 85274-2277



March 25, 2009

Cheryl Rohrs  
Management Assistant I  
City of Phoenix  
Parks, Recreation and Library Dept.  
200 W. Washington Street, #16F  
Phoenix, AZ 85003-1611

Dear Ms. Rohrs:

The South Mountain Technical Committee has determined there is little or no chance of interference to existing land mobile channels and other users on South Mountain by approving the request from Maricopa Community College District for a power increase and directional antenna for KBAQ-FM to operate on site 11 collocated with KJZZ-FM at an ERP of 30 kW H & V. Therefore, it Committee's recommendation to approve the application by Maricopa Community College District as applied. No comments were received from other users of the site.

Best Regards,

A handwritten signature in black ink, appearing to read "Robert Reymont", written in a cursive style.

Robert Reymont, Chairman  
SMUA Technical Committee

CC: Gary Smith, Chairman SMUA (via Email)

**EXHIBIT E-2**

Good morning Elliot-

Cheryl and I are pleased to let you know the Parks Board approved your request last night at the meeting. (We like classical also). If you have additional questions, please feel free to call us. Have a great day!!

Linda Dunkin  
Parks and Recreation Department  
602-534-6986

**"Elliott Kurt Klein"** <elliott@kleinbroadcast.com>

04/22/2009 12:15 AM

To Cheryl Rohrs/PKS/PHX@PHXENT

cc Linda Dunkin/PKS/PHX@PHXENT, "Jim Paluzzi" <jpaluzzi@kjzz.org>,  
"carl matthusen" <cmatthusen@kjzz.org>, "Ralph Hogan"  
<rhogan@kjzz.org>, "Dennis Gilliam" <dennisgilliam@gmail.com>

Subject Re: Parks Board Meeting

**EXHIBIT E-3****Elliott Kurt Klein**

---

**From:** "Jim Paluzzi" <jpaluzzi@kjzz.org>  
**To:** <Jim\_cole@azfamily.com>  
**Cc:** <elliott@kleinbroadcast.com>; <dgilmore@emfbroadcasting.com>; <jmiller@emfbroadcasting.com>; <davidoxenford@dwt.com>; "carl matthusen" <cmatthusen@kjzz.org>; "Ralph Hogan" <rhogan@kjzz.org>; "Margaret McConnell" <margaret.mcconnell@domail.maricopa.edu>  
**Sent:** Wednesday, April 15, 2009 4:43 PM  
**Subject:** MCCCC EMF WHITE TANKS TERMINATION INFORMAL NOTICE  
**To:** Jim Cole  
**From:** Jim Paluzzi

Dear Mr. Cole:

By way of introduction, I am the new General Manager for KBAQ, and am in my first month on the job.

I want to let you know on an informal basis that KBAQ will move its antenna and transmitter back to South Mountain in the near future. We have secured a CP to do this and now await an STA to proceed. Recently we have been working on acquiring a new antenna that is a part of the project. We are now in the final stages, and expect to issue a purchase order to the successful bidder no later than April 30<sup>th</sup>. We expect delivery time to be 5-6 weeks.

Elliott Klein has prepared an STA request for the FCC which would allow us to utilize an existing 4-bay antenna from South Mountain during the time it takes to install the new antenna. Elliott's contacts in the FCC have indicated that it will be approved, but that they do not want to have to issue an extension. The STA request is actually at the FCC, and is being held pending our submission of a date, which is dependent on the antenna, which we are about to accomplish.

The approval of the STA would allow us to vacate the space we have been using on your tower and in your building making that tower and building space it available to EMF Broadcasting for their facility to transmit Station KLVK from your White Tank Mountain Site. I'm writing now to let you know that it would be a good time to commence negotiations with EMF Broadcasting.

A formal letter of Termination will be forthcoming from the Maricopa County Community College District as soon as it is drafted by our legal department.

Sincerely,  
James V. Paluzzi

James V. Paluzzi  
General Manager, KJZZ/KBAQ/Sun Sounds  
2323 W 14th St., Tempe, AZ - (480) 834-5627

6/21/2009

**EXHIBIT E-4****Elliott Kurt Klein**

---

**From:** "Shelley Randall" <shelley.randall@domail.maricopa.edu>  
**To:** "Yolanda Soliz" <y.soliz@riomail.maricopa.edu>; "J Paluzzi" <j.paluzzi@riomail.maricopa.edu>;  
"Doug McCarthy" <doug.mccarthy@pcmail.maricopa.edu>  
**Cc:** "Paul DeRose" <paul.derose@pcmail.maricopa.edu>; "Ronnie Elliott"  
<ronnie.elliott@pcmail.maricopa.edu>; "Devi Bala" <devi.bala@riomail.maricopa.edu>; "Gloria  
Toscano" <gloria.toscano@domail.maricopa.edu>  
**Sent:** Wednesday, May 27, 2009 8:52 AM  
**Subject:** CDAC/Board Items were Approved

Good Morning, The following CDAC and Board items were approved yesterday. You're set to start generating the corresponding reqs and POs. (These won't need to be forwarded through FP&D for additional approval, btw).

- 1) PC Contract Award for Rigging Renovations in the John Paul Theater
- 2) PC JOC Contract Award for the Replacement of Ball Field Irrigation

4) RSC KBAQ Antenna Purchase and Installation

Thanks.



**District Support Services Center**

2411 West 14th Street  
 Tempe, Arizona 85281-6942  
 (480) 731-8520

**VENDOR:** KLEIN BROADCAST ENGINEERING  
 5529 EAST SAPPHIRE LANE  
 PARADISE VALLEY, AZ 85253-2525

**Purchase Order**

PURCHASE ORDER NO. **378107** REVISION **0** PAGE

**SHIP TO**  
 KJZZ/KBAQ RADIO  
 2323 W 14TH ST  
 TEMPE, AZ 85281-6950

**BILL TO**  
 MARICOPA COMM COLLEGE DIST  
 ATTN: ACCOUNTS PAYABLE  
 2411 W 14TH ST  
 TEMPE, AZ 85281-6942

THE PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS, CARTONS, AND CORRESPONDENCE RELATED TO THIS ORDER. FOR YOUR CONVENIENCE, INVOICES MAY BE EMAILED TO: [accounts.payable@domail.maricopa.edu](mailto:accounts.payable@domail.maricopa.edu)

VENDOR NO. 9801		DATE OF ORDER 04-JUN-09		REVISION DATE		
PAYMENT TERMS Immediate		FOB Destination		REQUESTOR SOLIZ, YOLANDA PENA		
ITEM	DESCRIPTION	DELIVERY DATE	QUANTITY	UNIT	UNIT PRICE	EXTENSION
1	[Per IFB 2905-4] Freight Charges-FOB Destination (Antenna to be delivered to KBAQ job site at the South Mountain Electronic Communications Site)					(7,610.55)
2	FM Directional Antenna- Electronics Research Inc. Model MP-10AC-DA-HW-SP		.00	EACH	(44,312.29)	(44,312.29)
	Engineering services at test range					(15,000.00)
4	Engineering services for installation support & supervision					(32,980.00)
	tax					(3,677.92)

**PAYMENT:** To be paid, Contractor must submit an itemized invoice referencing a valid Purchase Order number.

**Total**

~~100,522.26~~

BY ACCEPTING THIS PURCHASE ORDER THE VENDOR AGREES TO THE TERMS AND CONDITIONS CONTAINED ON THE PURCHASING WEBSITE  
[www.dist.maricopa.edu/purchasing/t&c.html](http://www.dist.maricopa.edu/purchasing/t&c.html)

*Yolanda Soliz*  
 AUTHORIZED SIGNATURE  
 BUYER: G TOSCANO

**EXHIBIT E-6**

**Electronics Research Inc.**  
**7777 GARDNER ROAD**  
**CHANDLER, IN 47610**

ORDER No.	24551	Page 1
CUSTOMER No.	002169	

06/11/2009 12 10:06:50 AM

**SOLD TO:**

KLEIN BROADCAST ENGINEERING, L.L.C.  
 5529 EAST SAPPHIRE LANE  
 PARADISE VALLEY, AZ 85253-2525  
 USA

**SHIP TO:**

KLEIN BROADCAST ENGINEERING, L.L.C.  
 TBD  
 KBAQ TOWER SITE  
 PHOENIX, AZ

6/11/2009

**SHIP VIA**

COMMON CARRIER

**F.O.B.**

PREPAID

**TERMS**

Net 30

**CUSTOMER P.O. REFERENCE No.**

20321

**DESIRED SHIP DATE**

8/10/2009

**QUESTIONS?**

CONTACT ORDER ADMINISTRATION

END USER: KBAQ - PHOENIX, AZ  
 89.5 MHZ

**Part ID/**

<u>Line #</u>	<u>Order Qty</u>	<u>Shipped Qty</u>	<u>Job No.</u>	<u>Description</u>
1	1.00 EA	0.00	AA-MP10AC-C00	MP-10AC-DA-HW-SP ON 89.5 MHZ
		24551/1		
				Ship by 8/10/2009
				MOUNTING PER DA PROOF
				HALF WAVE SPACED
				0.585 DEGREE BEAM TILT
				40) PARASITIC ELEMENTS
				10) ANTI-ROTATION BRACKETS
2	1.00 EA	0.00	PAT-001	DA PROOF
		24551/2		
				Ship by 7/10/2009
3	1.00	0.00		FREIGHT COST
				Ship by 8/10/2009