

FEDERAL COMMUNICATIONS COMMISSION
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April 6, 2007

James G. Withers, Partner
Withers Family Texas Holdings, LP
1921 Crampton Court
Chesterfield, Missouri 63017

Re: Withers Family Texas Holdings, LP
KSIX (AM), Corpus Christi, Texas
Facility Identification Number: 13964
Special Temporary Authority

Dear Mr. Withers:

This is in reference to the request filed March 28, 2007¹, on behalf of Withers Family Texas Holdings, LP ("WFT"). WFT requests extension of special temporary authority ("STA") to operate Station KSIX with temporary facilities.² In support of the request, WFT states that it is currently operating with the requested facilities pursuant to STA granted on June 28, 2006, and that its application³ for modification of construction permit remains pending.

We note that the previous STA expired on December 28, 2006. Our review indicates that the circumstances presented warrant grant of STA in order to provide for service to the public, and that the requested STA facilities are the same as were previously authorized. However, in light of the lapse of time between the expiration of the prior STA and the filing of the instant request, it will be considered as a request for a new STA; the authority granted will not cover the period between the expiration of the prior STA and the filing of the instant request.

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

Frequency	1230 kHz
Transmitter site	Existing site of Station KEYS(AM), Corpus Christi, TX
Geographic coordinates	27° 47' 01" N, 97° 27' 30" W (NAD 1927)
Operating power	Not to exceed 0.72 kilowatt
Antenna	Existing KEYS Tower #4
Radiator height	124.7° (84.5 m)

¹ Fee payment for the request was received by the Commission on February 13, 2007; however, due to a miscommunication with the staff, the original request was not received until March 28.

² KSIX is licensed for operation on 1230 kHz with 1 kilowatt daytime and 1 kilowatt nighttime, employing a nondirectional antenna (ND-1-U). Construction Permit BP-20050613AEP authorizes relocation of the transmitter; the permit expires on October 5, 2008. Application BMP-20060612AAO authorizes further relocation of the transmitter, an increase in antenna height and a reduction in power to 0.72 kilowatt.

³ File No. BMP-20060612AAO; See Note 2.

Antenna efficiency 327.8 mV/m/km/kW⁴
ASRN 1053363

It will be necessary to further reduce power or cease operation if complaints of interference are received. WFT 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. The authority granted herein does not cover the period between December 28, 2006, and February 13, 2007, and is without prejudice as to whatever action the Commission may take with regard to operation of Station KSIX during the foregoing interval.

This authority expires on **October 6, 2007**.

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

⁴ Millivolts per meter at one kilometer for one kilowatt input power.