

**FEDERAL COMMUNICATIONS COMMISSION
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April 19, 2007

John S. Neely, Esq,
Miller and Neely, P.C.
6900 Wisconsin Avenue, Suite 704
Bethesda, MD 20815

Re: KLVZ (AM), Brighton, Colorado
Facility Identification Number: 35089
KLZ Radio, Inc.
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed October 13, 2010, on behalf of KLZ Radio, Inc. (KRI). KRI requests special temporary authority (STA) to operate Station KLVZ with parameters at variance in accordance with the Commission's policy on installation of antennas on an AM directional array which is licensed via Method of Moments ("MOM") proof of performance.¹ In support of the request, KRI states that it plans to install a microwave antenna on one of the KLVZ daytime towers.

Because AM stations which are licensed pursuant to MOM proof of performance do not have monitor points to provide a check on the actual performance of the directional antenna system during operation with parameters at variance, it is our policy that such stations will be granted STA with a reduction to 50% of licensed nominal operating power.

Accordingly, the request for STA IS HEREBY GRANTED, with a power reduction as discussed above. Station KLVZ may operate during daytime hours with parameters at variance **and reduced power. The nominal operating power shall not exceed 1.1 kilowatts.** It will be necessary to reduce power or cease operation if complaints of interference are received. KRI 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 **April 18, 2011.**

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

¹ KLVZ is licensed for operation on 810 kHz with 2.2 kilowatts daytime and 0.43 kilowatt nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U). The daytime array is licensed pursuant to MOM proof (BMML-20090603AHB); the nighttime array with a field-strength proof (BL-20051125ADA). Construction Permit BP-20070912AAC authorizes an increase in daytime operating power to 10 kW.

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,

A handwritten signature in blue ink, appearing to read "Charles N. Miller".

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: KLZ Radio, Inc.