

FEDERAL COMMUNICATIONS COMMISSION
445 12TH STREET SW
WASHINGTON DC 20554

November 13, 2014
(Corrected December 8, 2014)

MTD, Inc.
P.O. Drawer 2010
Ruidoso Downs, NM 88346

Re: KNMB (FM), Cloudcroft, New Mexico
Facility Identification Number : 87766
MTD, Inc.
Special Temporary Authorization
BSTA-20141103ADR

Dear Counsel:

This is in reference to the request filed November 3, 2014, on behalf of MTD, Inc. ("MTD"). MTD's station KNMB has been operating on Special Temporary Authority (STA) since February 5, 2004 after losing access to the station's licensed site. In the November 3, 2014 STA request, MTD seeks authority to operate on STA from a new location, specifically the tower of KIDX (FM), Ruidoso, NM, with power increased to 1.0 kW.¹

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service² to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area³ without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review finds that the STA 60 dBu service contour will not cover any portion of the community of license (although the community is within 7 km of that contour), it would allow KNMB to restore service to approximately 38% of its licensed service area, as compared to just 2% under the existing STA. We conclude that the present STA request merits approval

Accordingly, the request for STA IS HEREBY GRANTED.⁴ Station KNMB may operate with the following facilities:

Geographic coordinates:	33° 24' 14" N, 105° 46' 56" W (NAD 1927)
Channel	244C (96.7 MHz)
Effective radiated power:	1.0 kilowatt (H&V)
Antenna height:	
above ground:	27 meters
above mean sea level:	3294 meters
above average terrain:	869 meters

¹ MTD would install a combiner so as to operate KIDX and KNMB (STA) into the same antenna. This change would require MTD to file a modification of license application on FCC Form 302-FM, for KIDX, within 10 days of completion. There would be no filing fee for this modification of license application.

² For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

³ For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

⁴ Please be aware that this STA makes no judgment as to the suitability of this site for permanent operations.

MTD must use whatever means are necessary to protect workers and the public from radiofrequency exposure in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **May 12, 2015**.

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,



Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Cary S. Tepper (via e-mail only)