

**FEDERAL COMMUNICATIONS COMMISSION**  
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March 21, 2012

Robert F. Kelley, Jr.  
Choice Broadcasting Company  
543A North Marine Corps Drive  
Tamuning, Guam 96913

Re: Choice Broadcasting Company  
KIJJ (FM), Tumon, Guam  
Facility Identification Number: 164176  
Special Temporary Authority

Dear Mr. Kelley:

This is in reference to the request filed March 20, 2012, on behalf of Choice Broadcasting Company ("CBC"). CBC requests special temporary authority ("STA") to operate Station KIJJ with temporary facilities.<sup>1</sup> In support of the request, CBC states that the licensed antenna supporting structure is mounted on the rooftop of a local hotel, and that roof modifications are being made which will removal of the tower. CBC states that it will evaluate whether or not to return to the rooftop after the work is complete. In the meantime, in order to maintain operation, CBC requests STA for operation from a nearby, existing tower with a temporary antenna and reduced power. CBC provides technical details for the proposed STA operation.

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 service to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation complies with the foregoing criteria.

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

Geographic coordinates:	13° 29' 19" N, 144° 49' 51" E
Channel	282 (104.3 MHz)
Effective radiated power:	1 kilowatt (V only)
Antenna height:	
above ground:	30 meters
above mean sea level:	222 meters <sup>2</sup>
above average terrain:	188 meters

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<sup>1</sup> KIJJ is licensed for operation on Channel 282C3 (104.3 MHz) with effective radiated power of 12.5 kilowatts (H&V) and antenna height above average terrain of 89 meters.

<sup>2</sup> The value given in the request was 114 meters, clearly in error. The site elevation was obtained from the tower registration and used to calculate the radiation center height above ground.

CBC must notify the Commission when licensed operation is restored. CBC 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 **September 21, 2012**.

**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,

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: Choice Broadcasting Company