

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

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May 14, 2010

Mark N. Lipp, Esq.
Wiley Rein LLP
1776 K Street NW
Washington, DC 20006

Re: Cumulus Licensing, LLC
KACL(FM), Bismarck, North Dakota
Facility Identification Number: 15967
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed April 6, 2010, on behalf of Cumulus Licensing, LLC (“Cumulus”). Cumulus requests extension of the special temporary authority (“STA”) granted on October 6, 2009, to operate Station KACL with reduced power.¹ In support of the request, Cumulus states that adverse winter weather conditions have delayed completion of repairs.

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.

Our review indicates that the licensee has been prevented from restoring licensed operation due to causes beyond its control and has taken all possible steps to expeditiously resolve the problem. Thus, extension of STA is warranted.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station KACL may continue to operate with reduced power. Cumulus must notify the Commission when licensed operation is restored. Cumulus must use whatever means are necessary to protect workers and

¹ KACL is licensed for operation on Channel 254C1 (98.7 MHz) with effective radiated power of 100 kilowatts (H&V) and antenna height above average terrain of 255 meters.

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 **November 14, 2010**.

Sincerely,

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

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Cumulus Licensing, LLC