

FEDERAL COMMUNICATIONS COMMISSION
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February 22, 2008

Troy G. Langham, FCC Engineering Supervisor
Clear Channel Technical & Capital Management
2625 South Memorial Drive, Suite A
Tulsa, Oklahoma 74129

Re: KUCD (FM), Pearl City, Hawaii
Facility Identification Number: 48778
Capstar TX Limited Partnership
Special Temporary Authorization

Dear Mr. Langham:

This is in reference to the request filed February 20, 2008, on behalf of Capstar TX Limited Partnership ("Capstar"). Capstar requests special temporary authority ("STA") to operate Station KUCD with emergency antenna facilities pursuant to Section 73.1680.¹ In support of the request, Capstar states that the lower half of the licensed panel array antenna has failed, and requests STA for operation with the upper half of the licensed antenna.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(2) provides that FM and TV stations may erect any suitable radiator, or use operable sections of the authorized antenna(s) as an emergency antenna.

Accordingly, the request for STA IS HEREBY GRANTED. Station KUCD may operate with emergency antenna facilities as discussed above. Capstar shall coordinate its emergency operation with the Commission's Honolulu monitoring station, and must reduce power as necessary to meet the field strength limit specified by the monitoring station. Capstar must notify the Commission when licensed operation is restored. Capstar 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 **August 22, 2008**.

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

¹ KUCD is licensed for operation on Channel 270C (101.9 MHz) with effective radiated power of 100 kW (H), 81 kW(V), (Max-DA), and antenna height above average terrain of 599 meters.

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 Capstareria 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 black ink, appearing to read "Charles N. Miller", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Capstar TX Limited Partnership