

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET SW**  
**WASHINGTON DC 20554**

**MEDIA BUREAU**  
**AUDIO DIVISION**  
**APPLICATION STATUS:** (202) 418-2730  
**HOME PAGE:** [www.fcc.gov/mb/audio/](http://www.fcc.gov/mb/audio/)

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January 13, 2012

Norman Leventhal, Esq.  
Holland & Knight LLP  
2099 Pennsylvania Avenue NW, Suite 100  
Washington, DC 20006

Re: Deportes y Musica Comunicaciones LLC  
KQMX(FM), Lost Hills, California  
Facility Identification Number: 166070  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed January 12, 2012, on behalf of Deportes y Musica Comunicaciones LLC ("DMC"). DMC requests special temporary authority ("STA") to operate Station KQMX with temporary facilities.<sup>1</sup>

In support of the request, DMC states that, when it recently acquired Station KQMX, the station was already silent. DMC states that it has an application pending for a new transmitter site; however, processing of the application has been delayed by the need to submit an environmental impact statement, and so it cannot be granted and implemented in time to prevent loss of the station's license. DMC requests STA for operation with a temporary antenna at its main studio building, and provides technical details of 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<sup>2</sup> to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area<sup>3</sup> 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.

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<sup>1</sup> KQMX is licensed for operation on Channel 289B1 (105.7 MHz) with effective radiated power of 24.4 kilowatts (H&V) and antenna height above average terrain of 101 meters.

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

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

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

Geographic coordinates:	35° 36' 08" N, 119° 20' 05" W (NAD 1927)
Channel	289 (105.7 MHz)
Effective radiated power:	0.25 kilowatt (Max-Da, V only)
Antenna manufacturer and type:	Scala, model FMV, directional
Antenna orientation:	270° True
Antenna height:	
above ground:	8 meters
above mean sea level:	108 meters
above average terrain:	9 meters

DMC must notify the Commission when licensed operation is restored. DMC 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 **July 13, 2012**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law upon twelve consecutive months of silence. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also Public Notice*, Expedited Processing of Applications Filed by Silent Stations, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

**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 long horizontal flourish extending to the right.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Deportes y Musica Comunicaciones LLC