



Federal Communications Commission
Washington, D.C. 20554

September 29, 2023

The Regents of the University of Colorado
Campus Box 207
Boulder, CO 80309

Re: The Regents of the University of Colorado
KVCU(AM), Boulder, CO
Fac. ID No.: 48965
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed September 18, 2023 on behalf of The Regents of the University of Colorado ("The Regents"). The Regents request special temporary authority ("STA") to operate station KVCU(AM) with reduced power during daytime and critical hours.¹

In support of the request, The Regents state that due to an electrical fire, the main transmitter for KVCU(AM) was destroyed. The station is currently operating on its backup transmitter at a reduced power of 1 kilowatt during day and critical hours. Thus, until a replacement transmitter can be obtained and installed, the station requests an STA to continue to operate with a reduced power of 1 kilowatt during daytime and critical hours. No changes are proposed to the licensed nighttime operation.

Section 73.1560(d), which governs reduced power operation, states:

In the event it becomes technically impossible to operate at authorized power, a broadcast station may operate at reduced power for a period of not more than 30 days without specific authority from the FCC. If operation at reduced power will exceed 10 consecutive days, notification must be made to the FCC in Washington, DC, Attention: Audio Division (radio) or Video Division (television), Media Bureau, not later than the 10th day of the lower power operation. In the event that normal power is restored within the 30 day period, the licensee must notify the FCC of the date that normal operation was restored. If causes beyond the control of the licensee prevent restoration of the authorized power within 30 days, a request for Special Temporary Authority (see Section 73.1635) must be made to the FCC in Washington, DC for additional time as may be necessary.

Our review indicates that the request complies with Section 73.1560(d).

Accordingly, the request for STA IS HEREBY GRANTED.² Station KVCU(AM) may operate with a reduced daytime and critical hours power of 1 kilowatt until a replacement transmitter is obtained. KVCU(AM) must notify the Commission when licensed operation is restored.

¹ KVCU(AM) is licensed for operation on 1190 kHz with a daytime power of 6.8 kilowatts, a critical hours power of 5 kilowatts and a nighttime power of 0.11 kilowatt, employing a non-directional antenna pattern (ND3-U).

² Periods of operation pursuant to this STA shall be recorded in the station's records (see 47 CFR § 73.1820). The records shall include start/stop dates and times of such operation. These log entries must be maintained for a minimum of two years as specified in 47 CFR § 73.1840(a), unless a longer retention period is requested by the staff. Periods of operation may be subject to independent verification that they in fact occurred.

KVCU(AM) 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 **March 27, 2024**.

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 dark ink, reading "Jerome J. Manarchuck". The signature is fluid and cursive, with the first name "Jerome" and last name "Manarchuck" clearly legible.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Donna Balaguer, Esq. (via email)