



Federal Communications Commission  
Washington, D.C. 20554

June 7, 2022

IHM Licenses, LLC  
7136 S Yale Ave.  
Suite 501  
Tulsa, OK 74136

Re: IHM Licenses, LLC  
KXYZ(AM), Houston, TX  
Fac. ID No.:95  
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed May 17, 2022 on behalf of IHM Licenses, LLC ("IHM"). IHM requests special temporary authority ("STA") to operate station KXYZ(AM) from an alternate site location. In a previous STA request (BSTA-20210209AAB), granted on February 13, 2022, the former licensee of KXYZ(AM) stated that the land upon which the current towers and transmitter building are located has been sold and the new property owner has indicated that the lease will not be renewed. Therefore, the station requested and was granted an STA to operate from the licensed site of station KPRC(AM).<sup>1</sup>

However, KXYZ(AM) is now proposing an STA operation from the site of co-owned station KMBE(AM). The station has been granted a construction permit (BP-20210125AAC) from this location. The site is located 23.2 miles (35.8 kilometers) from its currently licensed site. A non-directional operation is requested with a daytime power of 8.8 kilowatts and a nighttime power of 2.4 kilowatts. STA operation is proposed from either tower #7 or #8 of the KMBE(AM) array. In addition, following the completion of construction, the station requests the option to operate with substantially adjusted parameters.

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<sup>2</sup> without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

Accordingly, the request for STA is GRANTED. Station KXYZ(AM) may operate with the

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<sup>1</sup> KXYZ(AM) is licensed for operation on 1320 kHz with a daytime power of 10 kilowatts and a nighttime power of 5 kilowatts, employing different directional antenna patterns (DA2-U). The station is also authorized by construction permit to operate with a daytime power of 8.4 kilowatts and a nighttime power of 2.8 kilowatts, employing different directional antenna patterns.

<sup>2</sup> For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

following facilities:

Geographic coordinates	29° 54' 56" N, 95° 27' 42" W (NAD 1927)
Frequency	1320 kHz
Hours of operation	Daytime and Nighttime
Operating power	8.4 kilowatts (Daytime), 0.7 kilowatt (Nighttime)
Antenna type	Either tower #7 or #8 of existing KMBE(AM) array
Overall height above ground	103.5 meters (340 feet)
Electrical height of radiator	164.1°
Antenna Efficiency	361.6 mV/m per kW at 1 km

Simultaneous operation of stations KXYZ(AM), KPRC(AM) and KMBE(AM) from the KMBE(AM) site shall not commence until sufficient diplexing equipment has been installed and properly adjusted to reduce all spurious emissions below the levels specified in 47 CFR Section 73.44(b). Within 10 days after commencement of such operation, IHM must submit the results of measurements which demonstrate compliance with the above condition. In addition, a copy of a firm agreement of the three stations fixing the responsibility of each with regard to the installation and maintenance of such equipment shall be submitted with the results of the measurements. IHM shall also be responsible for handling all reasonable complaints of blanketing interference within the 1 V/m contour as required by Section 73.88 of the Commission's rules. In addition, the station has the option to operate with substantially adjusted parameters following completion of construction.

It will be necessary to further reduce power or cease operation if complaints of interference are received. KXYZ(AM) must notify the Commission when licensed operation is restored. KXYZ(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 **December 4, 2022**.

**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 black ink that reads "Jerome J. Manarchuck". The signature is written in a cursive style with a large, stylized initial "J" and a long, sweeping tail.

Jerome J. Manarchuck  
Audio Division  
Media Bureau

cc: Troy Langham (via email only)