



Federal Communications Commission
Washington, D.C. 20554

September 27, 2022

Stephan C. Sloan,
Media Services Group, Receiver
90 Bow Street
East Greenwich, RI 02818

Re: Stephan C. Sloan,
Media Services Group, Receiver
KXEG(AM), Phoenix, AZ
Fac. ID No.: 10975
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed September 22, 2022, on behalf of Stephan C. Sloan, Media Services Group, Receiver ("Mr. Sloan").¹ Mr. Sloan requests special temporary authority ("STA") to operate station KXEG(AM) from an alternate site location with a temporary dipole antenna.²

In support of the request, Mr. Sloan states that this instant request for an engineering STA is necessary in order to return KXEG(AM) to operation while a permanent site is found. The station lost its licensed site and therefore operation from an alternate site is being requested. KXEG(AM) most recently went silent on October 2, 2021, and therefore the station's license will automatically expire if broadcast operations do not commence by 12:01 a.m., October 3, 2022. Thus, an STA is requested to relocate KXEG(AM) to a different location and operate with a temporary dipole antenna.

Specifically, KXEG(AM) proposes to operate from a site located 12.2 kilometers (7.6 miles) from its currently licensed site. Operation is proposed with a reduced daytime and nighttime power of 10 watts employing a 20-foot vertical dipole antenna. The antenna will be mounted on the rooftop of a building at 1402 West Sunnyside Drive, Phoenix, Arizona.

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 area³ without extending it; (4) STA facilities cannot involve the

¹ Staff granted the Form 316 pro forma assignment application (BAL-20200108AAF) from Gabrielle Broadcasting Licensee Ordinal I FCC, LLC to Stephan C. Sloan, Media Services Group, Receiver on January 14, 2020.

² KXEG(AM) is licensed for operation on 1280 kHz with a daytime power of 2.5 kilowatts and a nighttime power of 0.049 kilowatt, employing a non-directional antenna pattern (ND2-U).

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

construction of towers intended for permanent use by the station requesting the STA. Accordingly, the request for STA is GRANTED. Station KXEG(AM) may operate with the following facilities:

Geographic coordinates	33° 35' 40" N, 112° 05' 13" W (NAD 1927)
Frequency	1280 kHz
Hours of operation	Daytime and Nighttime
Operating power	10 watts (Daytime and Nighttime)
Antenna type	20 foot vertical dipole antenna mounted on a rooftop

It will be necessary to further reduce power or cease operation if complaints of interference are received. KXEG(AM) must notify the Commission when licensed operation is restored. KXEG(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 26, 2023**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law if broadcast operations do not commence by 12:01 a.m., October 3, 2022. *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 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: Mr. Stephan C. Sloan (via email only)
David O'Neil, Esq. (via email only)