

FEDERAL COMMUNICATIONS COMMISSION
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May 18, 2009

Mr. Chuck Springer
Kanza Society, Inc.
210 North 7th Street
Garden City, Kansas 67846

Re: KTOT (FM), Spearman, Texas
Facility Identification Number: 92623
Kanza Society, Inc.
Special Temporary Authority

Dear Mr. Springer:

This is in reference to the request filed May 13, 2009, on behalf of Kanza Society, Inc. ("KSI"). KSI requests special temporary authority ("STA") to operate Station KTOT¹ with emergency antenna facilities pursuant to Section 73.1680. In support of the request, KSI states that the licensed antenna system has been damaged by lightning. KSI states that it has commenced operation with the facilities authorized by Auxiliary License BXLED-20060926AAJ, but with increased effective radiated power ("ERP") of 49 kW.²

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. Our review indicates that the proposed STA operation complies with Section 73.1680, and that the proposed ERP will not result in extension of the 60 dBu contour beyond the licensed contour.

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

Geographic coordinates:	36° 03' 44" N, 101° 01' 56" W (NAD 1927)
Channel	228 (93.5 MHz)
Effective radiated power:	49 kilowatts (H&V)
Antenna height:	
above ground:	252 meters
above mean sea level:	1193 meters
Above average terrain:	292 meters

¹ KTOT is licensed for operation on Channel 208C0 (89.5 MHz) with effective radiated power of 100 kW (H&V) and antenna height above average terrain of 325 meters.

² Proposed as 49.2 kW; See Section 73.212(a).

KSI must notify the Commission when licensed operation is restored. KSI 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 **November 18, 2009**.

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: Kanza Society, Inc.