

June 8, 2009

VIA HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W., TW-A325
Washington, D.C. 20554

FILED/ACCEPTED
JUN - 8 2009
Federal Communications Commission
Office of the Secretary

**Re: Surrender of Construction Permit for Minor Modification of Facilities
FCC File No. FCC File No. BPH-20070726AHL
KONY(FM), St. George, Utah (FIN-18140)**

Dear Ms. Dortch:

Canyon Media Corporation ("Canyon"), licensee of FM radio station KONY(FM), St. George, Utah (FIN-18140), hereby surrenders the outstanding construction permit – FCC File No. BPH-20070726AHL – authorizing a modification of KONY(FM)'s licensed facilities. The community of license change contemplated by this contingent construction permit will not be implemented, rather KONY(FM) will remain licensed to St. George, Utah. Therefore, the permit is hereby returned to the Commission. A copy of the authorization is attached hereto for your reference.

Previously, Canyon had timely filed a Petition seeking reconsideration of the grant of this construction permit. That Petition remains pending. Accordingly, the grant of this construction permit has not yet become a final Commission action as a matter of administrative law. Once the Commission cancels the permit and the FCC's records have been updated to reflect the surrender of this authorization, it is anticipated that the pending Petition for Reconsideration will be withdrawn as moot.

Should there be any questions regarding this matter, please contact the undersigned.

Respectfully submitted,



Brendan Holland

cc: Peter H. Doyle (Via Hand Delivery)
Christina H. Burrow, Esq.

Enclosure

Anchorage
Bellevue
Los Angeles

New York
Portland
San Francisco

Seattle
Shanghai
Washington, D.C.

United States of America
FEDERAL COMMUNICATIONS COMMISSION
FM BROADCAST STATION CONSTRUCTION PERMIT

Authorizing Official:

Official Mailing Address:

CANYON MEDIA CORPORATION
P.O. BOX 570
LOGAN UT 84771

Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

Facility ID: 18140

Grant Date: November 05, 2008

Call Sign: KONY

This permit expires 3:00 a.m.
local time, 36 months after the
grant date specified above.

Permit File Number: BPH-20070726AHL

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules.

Commission rules which became effective on February 16, 1999, have a bearing on this construction permit. See Report & Order, Streamlining of Mass Media Applications, MM Docket No. 98-43, 13 FCC RCD 23056, Para. 77-90 (November 25, 1998); 63 Fed. Reg. 70039 (December 18, 1998). Pursuant to these rules, this construction permit will be subject to automatic forfeiture unless construction is complete and an application for license to cover is filed prior to expiration. See Section 73.3598.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Name of Permittee: CANYON MEDIA CORPORATION

Station Location: UT-HURRICANE

Frequency (MHz): 99.9

Channel: 260

Class: C

Hours of Operation: Unlimited

Callsign: KONY

Permit No.: BPH-20070726AHL

Transmitter: Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Transmitter output power: As required to achieve authorized ERP.

Antenna type: Non-Directional

Antenna Coordinates: North Latitude: 36 deg 50 min 49 sec

West Longitude: 113 deg 29 min 28 sec

| | Horizontally Polarized Antenna | Vertically Polarized Antenna |
|---|--------------------------------------|------------------------------------|
| Effective radiated power in the Horizontal Plane (kW): | 99 | 99 |
| Height of radiation center above ground (Meters): | 95 | 95 |
| Height of radiation center above mean sea level (Meters): | 1985 | 1985 |
| Height of radiation center above average terrain (Meters): | 620 | 620 |
| Antenna structure registration number: 1032820 | | |
| Overall height of antenna structure above ground (including obstruction lighting if any) see the registration for this antenna structure. | | |

Special operating conditions or restrictions:

- 1 Pursuant to the grant of this construction permit and the authority found in Sections 4(i), 5(c)(1), 303 and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b), 0.283, 1.420, 73.203(b), and 73.3573 of the Commission's Rules, the FM assignment IS MODIFIED as follows:

| | |
|----------------|-------------|
| Community | Channel No. |
| Hurricane, UT | Add 260C |
| St. George, UT | Delete 260C |

Pursuant to Section 316(a) of the Communication Act of 1934, as amended, license BMLH-20020215ABJ IS MODIFIED to specify operation on Channel 260C at Hurricane, UT in lieu of Channel 260C at St. George, UT.

- 2 BEFORE PROGRAM TESTS COMMENCE, sufficient measurements shall be made to establish that the operation authorized in this construction permit is in compliance with the spurious emissions requirements of 47 C.F.R. Sections 73.317(b) through 73.317(d). All measurements must be made with all stations simultaneously utilizing the shared antenna. These measurements shall be submitted to the Commission along with the FCC Form 302-FM application for license.
- 3 THE AUTOMATIC PROGRAM TEST PROVISIONS OF 47 C.F.R. SECTION 73.1620 DO NOT APPLY IN THIS CASE. A FORMAL REQUEST FOR PROGRAM TEST AUTHORITY MUST BE FILED IN CONJUNCTION WITH FCC FORM 302-FM, APPLICATION FOR LICENSE, BEFORE PROGRAM TESTS WILL BE AUTHORIZED. This request must contain documentation which demonstrates compliance with the following special operating condition(s):

Special operating conditions or restrictions:

- 4 The permittee/licensee shall, upon completion of construction and during the equipment test period, make proper radiofrequency electromagnetic (RF) field strength measurements throughout the transmitter site area to determine if there are any areas that exceed the FCC guidelines for human exposure to RF fields. If necessary, a fence must be erected at such distances and in such a manner as to prevent the exposure of humans to RF fields in excess of the FCC Guidelines (OET Bulletin No. 65, Edition 97-01, August 1997). The fence must be a type which will preclude casual or inadvertent access, and must include warning signs at appropriate intervals which describe the nature of the hazard. Any areas within the fence found to exceed the recommended guidelines must be clearly marked with appropriate visual warning signs.

- 5 Documentation demonstrating compliance with the preceding special operating condition shall be submitted at the time of filing of FCC Form 302-FM.

- 6 The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.

*** END OF AUTHORIZATION ***