

FEDERAL COMMUNICATIONS COMMISSION
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September 1, 2009

John W. Zucker, Esq.
ABC Radio Los Angeles Assets, LLC
77 West 66th Street, 16th Floor
New York, NY 10023-6298

Re: KDIS (AM), Pasadena, California
Facility Identification Number: 25076
ABC Radio Los Angeles Assets, LLC
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed August 31, 2009, on behalf of ABC Radio Los Angeles Assets, LLC ("ABC"). ABC requests special temporary authority ("STA") to operate Station KDIS with a nondirectional antenna and reduced power, and with parameters at variance and/or reduced power while maintaining monitor points within licensed limits.¹ In support of the request, ABC states that it plans to replace the station's transmission and sample lines.

Our review indicates that the proposed STA operation complies with the technical provisions of Section 73.1615, which governs operation during modification of facilities.

Accordingly, the request for STA IS HEREBY GRANTED. Station KDIS may operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. Operation with a nondirectional antenna and reduced power not to exceed 12.5 kW daytime and 5 kW nighttime also is authorized, only as necessary to facilitate the repair work. It will be necessary to further reduce power or cease operation if complaints of interference are received. ABC must notify the Commission when licensed operation is restored.² ABC 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 1, 2010**.

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

¹ KDIS is licensed for operation on 1110 kHz with 50 kilowatts daytime and 20 kilowatts nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U).

² *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).

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".

Charles N. Miller, Engineer
Audio Division
Media Bureau