

**FEDERAL COMMUNICATIONS COMMISSION**  
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November 20, 2009

Christopher J. Sova, Esq.  
Lerman Senter PLLC  
2000 K Street NW, Suite 600  
Washington, DC 20006-1809

Re: Radio License Holding VIII, Inc.  
KGO (AM), San Francisco, California  
Facility Identification Number: 34471  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed November 19, 2009, on behalf of Radio License Holding VIII, Inc. ("RLH"). RLH requests special temporary authority ("STA") to operate Station KGO during daytime hours with a temporary nondirectional antenna and reduced power.<sup>1</sup> In support of the request, RLH states that maintenance work is being performed at the station's transmitter site, and the the requested STA is necessary for the safety of workers at the site.

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 KGO may operate during daytime hours with a temporary nondirectional antenna and reduced power not to exceed 12.5 kilowatts, as necessary to facilitate the planned maintenance work. It will be necessary to further reduce power or cease operation if complaints of interference are received. RLH must notify the Commission when licensed operation is restored.<sup>2</sup> RLH 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 **February 20, 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 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

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<sup>1</sup> KGO is licensed for operation on 810 kHz with 50 kilowatts daytime and 50 kilowatts nighttime, employing the same directional antenna pattern daytime and nighttime (DA-1-U).

<sup>2</sup> *See* 47 CFR §§ 73.45(c), 73.51, 73.61(b).

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: Radio License Holding VIII, Inc.