

**FEDERAL COMMUNICATIONS COMMISSION**  
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**WASHINGTON DC 20554**

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January 17, 2007

Dennis J. Kelly, Esq.  
Box 41177  
Washington, DC 20018

Re: Tom F. Huth  
KOBO (AM), Yuba City, California  
Facility Identification Number: 17408  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed January 5, 2007, on behalf of Tom F. Huth ("TFH"). TFH requests special temporary authority ("STA") to operate Station KOBO with emergency antenna facilities pursuant to Section 73.1680.<sup>1</sup> In support of the request, TFH states that it has lost the use of its licensed site and must relocate to a new site. TFH states that it has filed an application for construction permit to relocate to the southwest tower of the directional array of commonly-owned Station KUBA. TFH requests STA for operation at the KUBA site with reduced power of 250 watts, pending Commission action on the application.

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<sup>2</sup> to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area<sup>3</sup> without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed operation complies with the foregoing.

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

Transmitter site:	Southwest tower of licensed KUBA directional system.
Geographic coordinates:	39° 06' 22" N, 121° 39' 19" W (NAD 1927)
Frequency:	1450 kHz
Operating hours:	Unlimited
Operating power:	Not to exceed 0.25 kilowatt

Operation shall not commence until sufficient diplexing equipment has been installed and properly

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<sup>1</sup> KOBO is licensed for operation on 1450 kHz with 0.5 kilowatt daytime and 1 kilowatt nighttime, employing a nondirectional antenna (ND-1-U).

<sup>2</sup> For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

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

adjusted to reduce all spurious emissions below the levels specified in 47 CFR Section 73.44(b). Within 30 days after commencement of operation, TFH must submit the results of measurements which demonstrate compliance with the above condition. It will be necessary to further reduce power or cease operation if complaints of interference are received. TFH 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. The authority granted herein is without prejudice as to the Commission's action in Application BP-20070103AEZ. Any construction undertaken pursuant to this authority is entirely at TFH's own risk.

This authority expires on **July 17, 2007**.

**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,



Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Tom F. Huth