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January 12, 2010

Barry A. Friedman, Esq.
Thompson Hine LLP
1920 N Street NW, Suite 800
Washington, DC 20036-1600

Re: KMXA(AM), Aurora, Colorado
Facility Identification Number: 10057
Entravision Holdings, LLC
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed January 4, 2010¹, on behalf of Entravision Holdings, LLC (Entravision). Entravision requests special temporary authority (STA) to operate Station KMXA with parameters at variance and/or reduced power while maintaining monitor points within licensed limits.² In support of the request, Entravision states that, in the course of collecting data for a Method of Moments ("MOM") proof of performance, it was determined that the station's phasing and coupling equipment will require significant modification, including replacement of old, non-adjustable components as well as substantial circuitry changes.

Our review indicates that the proposed STA operation complies with the technical provisions of Section 73.1615, which governs operation during modification of facilities. In addition to the operating mode requested, it may be necessary to operate with a temporary nondirectional antenna and reduced power. Also, following completion of the refurbishment work, operation will be necessary with the substantially adjusted directional patterns set to MOM parameters. Although not specifically requested, STA is granted for these modes of operation, as well.

Accordingly, the request for STA IS HEREBY GRANTED, with modification as discussed above. Station KMXA may operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. Operation with a temporary nondirectional antenna and reduced power not to exceed 12.5 kilowatts daytime and 0.125 kilowatt nighttime also is authorized, only as necessary to facilitate the refurbishment work. Upon completion of the refurbishment work and, following adjustment of the antenna system to MOM parameters, KMXA may operate with its substantially adjusted daytime and nighttime directional patterns, with operating parameters as determined by the MOM model, pending the filing and processing of an application for license based on a MOM proof.³ It will be necessary to further reduce

¹ Processing of the request was delayed by a fee issue which has been resolved.

² KMXA is licensed for operation on 1090 kHz with 50 kilowatts daytime and 0.5 kilowatts nighttime, employing different directional antenna patterns during daytime and nighttime hours (DA-2-U).

³ During this mode of operation, the operating parameters shall be maintained within $\pm 3^\circ$ phase and $\pm 5\%$ current

power or cease operation if complaints of interference are received. Entravision 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 **July 12, 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 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: Entravision Holdings, LLC

ratio of the MOM-derived parameters, which must be posted with the station license along with a copy of this letter.